

Before the
COPYRIGHT ROYALTY BOARD
United States Copyright Office
Washington, DC

In re

Distribution of Digital Audio Recording
Royalty Funds

CONSOLIDATED
Docket No. 2008-3 CRB DD

MOTION TO REJECT
DAVID POWELL’S DEFECTIVE FILINGS

Pursuant to Section 351.1(c) and in response to David Powell’s (“Powell”) defective filings, the Alliance of Artists and Recording Companies (“AARC”) files its motion to reject Powell’s identical documents filed on December 20, 2018 and January 24, 2019 entitled “Verified motion petition to participate for Dart partial and final distribution, agreed yes w/ settling parties and allocation phase parties I and II and added to settlement list.” 37 C.F.R. § 351.1(c) (2018); Verified Motion Petition to Participate for Dart Partial and Final Distribution, Agreed Yes W/ Settling Parties and Allocation Phase Parties I and II and Added to Settlement List, In the Matter of Distribution of Any Consolidated Dart Royalty Funds, Docket No. CONSOLIDATED 2008-3 CRB DD (2007-2011 SRF) (Dec. 20, 2018) (“First Powell Filing”); Verified Motion Petition to Participate for Dart Partial and Final Distribution, Agreed Yes W/ Settling Parties and Allocation Phase Parties I and II and Added to Settlement List, In the Matter of Distribution of Any Consolidated Dart Royalty Funds, Docket No. CONSOLIDATED 2008-3 CRB DD (2007-2011 SRF) (Jan. 24, 2019) (“Second Powell Filing”). AARC respectfully requests that the First Powell Filing and the Second Powell Filing (collectively referred to as “Powell Filings”) be rejected for Powell’s failure to comply with the requirements specifically

delineated in the Copyright Act, CRB regulations, CRB consolidation of proceedings order and CRB notice commencing the proceeding. 17 U.S.C. § 803 (2017); 37 C.F.R. § 351.1; Order Consolidating Proceedings, In the Matter of Distribution of Digital Audio Recording Royalty Funds, Docket No. ONSOLIDATED 2008-3 CRB DD (Dec. 17, 2018) (“Order of Consolidation”); Distribution of the 2007, 2008, 2009, 2010, and 2011 Digital Audio Recording Technology Royalty Funds for the Sound Recordings Funds, 83 Fed. Reg. 66,312 (Dec. 26, 2018) (“Consolidated Proceeding Notice”).

BACKGROUND

On December 17, 2018, the CRB issued an order consolidating the remaining 2007 – 2011 proceedings for the distribution of the Sound Recordings Fund royalties. Order of Consolidation. The order directed parties filing Petitions to Participate in the consolidated proceeding to identify, in each document, “*with specificity* the subfund(s) that is/are the subject of the filing and the year(s) at issue.” *Id.* at 2.

On December 26, 2018, the CRB published, in the Federal Register, a notice announcing the commencement of the proceeding to determine the distribution of the DART royalty fees in the 2007, 2009, 2010 and 2011 DART Sound Recordings Fund Featured Recording Artists and Copyright Owners Subfunds as well as in the 2008 DART Sound Recordings Fund Copyright Owners Subfund¹ (collectively referred to as “2007 – 2011 DART Sound Recordings Fund”). Consolidated Proceeding Notice. In the notice, the CRB alerted the parties to the requirement for a petition. *Id.* Specifically, the CRB stated that “Petitions to Participate must provide all of the

¹ The 2008 DART Sound Recordings Fund Featured Recording Artists proceeding was concluded pursuant to the CRB’s distribution order issued on June 24, 2009. Distribution Order, In the Matter of Distribution of DART Sound Recordings Fund/Featured Artists’ Subfund Royalties for 2008, Docket No. 2009-3 CRB DD 2008 (Jun 24, 2009).

information required by 37 CFR 351.1(b)(2).” *Id.* at 66,313. Additionally, the CRB directed that “[p]articipants identify *by year* each subfund in the Sound Recordings Fund to which they are asserting a claim (*i.e.*, Copyright Owners, Featured Recording Artists, or both).” *Id.* Finally, the CRB announced that the Petitions to Participate and filing fees “are due no later than January 25, 2019.” *Id.* at 66,312.

On December 20, 2018, Powell filed his defective document through the e-filing system, which classified it as a “Motion.” First Powell Filing; Distribution of the 2007, 2008, 2009, 2010, and 2011 Digital Audio Recording Technology Royalty Funds for the Sound Recordings Funds, eCRB, <https://app.crb.gov/case/detail/CONSOLIDATED%202008-3%20CRB%20DD%20%282007-2011%20SRF%29> (last visited on February 1, 2019) (“eCRB Case Detail”).

On January 24, 2019, Powell refiled an identical copy of the defective First Powell Filing. Second Powell Filing. This second filing was also filed through the e-filing system, which classified it as a “Petition to Participate.” *Id.*; eCRB Case Detail.

As directed by the CRB’s Consolidated Proceeding Notice, on January 25, 2019, AARC filed a timely Petition to Participate, which included the requisite information and one hundred and fifty dollars (\$150) filing fee. Petition to Participate, In the Matter of Distribution of Digital Audio Recording Royalty Funds, Docket No. CONSOLIDATED 2008-3 CRB DD (Jan. 25, 2019).

LEGAL DISCUSSION

Statutes and Regulations

Section 803(b)(1) of the Copyright Act states that a Petition to Participate, “*shall* describe the petitioner’s interest in the subject matter of the proceeding.” 17 U.S.C. § 803(b)(1)(B)

(emphasis added). Section 803(b)(2)(A) underscores the importance of this requirement by setting, as a prerequisite to participation in the proceeding, that each party “[file] a petition to participate in accordance with paragraph (1).” Id. § 803(b)(2)(A). One of the requirements imposed by the “paragraph (1)” is that the petition “describe the petitioner’s interest in the subject matter of the proceeding.” Id. § 803(b)(1)(B), (b)(2)(A). Section 803(b)(2)(C) further emphasizes the significance of describing the petitioner’s interest, by providing that a party can participate in a proceeding “only if” the CRB has not determined that such party “lacks a significant interest.” Id. § 803(b)(2)(C). After all, the CRB cannot make such a determination based on the Petition to Participate submitted by a potential participant, if the petition does not include any description of the alleged interest in the proceeding. Therefore, the requirement that a Petition to Participate include a description of the petitioner’s interest in the subject matter of the proceeding is a statutory prerequisite to participation in the distribution proceeding. Id. § 803(b)(1)(B), (b)(2)(A), (b)(2)(C).

The CRB implemented this statutory requirement in subsections (b) and (c) of Section 351.1 of its regulations. 37 C.F.R. § 351.1(b), (c). Section 351.1(b) states that a Petition to Participate must include “[a] description of the petitioner’s significant interest in the subject matter of the proceeding.” Id. § 351.1(b)(2)(i)(C). Section 351.1(c) further stresses the statutory importance of including a description of the petitioner’s significant interest in a Petition to Participate, by declaring that a petition will not be allowed if the petitioner lacks a significant interest. Id. § 351.1(c).

The CRB, in its determination and order for the distribution of the remaining 2013 DART Sound Recordings Fund, noted that it would dismiss a Petition to Participate as deficient if it failed to “state the basis for [the petitioner’s] claimed interest.” Determination and Order, In the

Matter of Distribution of 2013 Digital Audio Recording Royalty Funds, Docket No. 14-CRB-0006 DART SR (CO/FA) (2013), at 2 (Mar. 24, 2016) (“2013 Determination and Order”). The CRB has also held that even if parties have filed Petitions to Participate with the requisite filing fees, those parties are not necessarily entitled “to continued and full participation in the proceeding” until “[t]he Judges have . . . determined whether every responding participant . . . has a ‘significant interest’ in [the] proceeding.” Notice of Participants, Commencement of Voluntary Negotiation Period, and Case Scheduling Order, In the Matter of Determination of Royalty Rates and Terms for Transmission of Sound Recordings by Satellite Radio and “Preexisting” Subscription Services (SDARS III), Docket No. 16-CRB-0001 SR/PSSR (2018-2022), at 1 (Mar. 14, 2016) (“2018 – 2022 SDARS Notice”); Order Denying Four Motions from David Powell, In the Matter of Determination of Royalty Rates and Terms for Transmission of Sound Recordings by Satellite Radio and “Preexisting” Subscription Services (SDARS III), Docket No. 16-CRB-0001 SR/PSSR (2018-2022) (“2018 – 2022 SDARS III Order Denying Powell’s Motions”) (noting that Powell’s Petition to Participate in the 2018 – 2022 SDARS III rate proceeding had been dismissed by the CRB on the basis that it “fail[ed] to state any requisite interest in the proceeding”).

The “significant interest” requirement is an essential element of a Petition to Participate. It was enacted by Congress for the purpose of “restrict[ing] participation to those who have a stake in the outcome of the proceeding.” H.R. Rep. No. 108-408, at 27 (2004). Requiring a petitioner to set forth an “interest in the subject matter” also enables the CRB to determine whether such petitioner has “legally protectable and tangible interests” and, therefore, qualifies as a participant. *Id.* at 29. While the term “significant interest” is not defined in the statute or the regulation, it is a term of art that has been used by the Copyright Arbitration Royalty Panel to

“screen petitions.” Procedural Regulations for the Copyright Royalty Board, 70 Fed. Reg. 30,901, 30,902 (May 31, 2005). In examining a petitioner’s “significant interest,” the Copyright Office has also required a showing of “some financial stake in the outcome of the proceeding.” Id.

A petitioner has a “financial stake,” or more generally, “legally protectable and tangible interests” in a royalty distribution proceeding, if he is entitled to a share of the royalties in the proceeding. Id.; H.R. Rep. No. 108-408, at 29. Pursuant to the Audio Home Recording Act of 1992 (“AHRA”), featured recording artists who have performed on and copyright owners of sound recordings, which are embodied in digital or analog musical recordings, which were distributed during the royalty year in issue, are eligible for DART royalties, only if they have timely filed a claim for the royalties of that particular royalty year. 17 U.S.C. §§ 1001, 1006-07 (2017). Therefore, to show a significant interest in the 2007 – 2011 DART Sound Recordings Fund distribution proceeding as a featured recording artist or a copyright owner, the petitioner should demonstrate in his Petition to Participate that he qualifies as a featured recording artist and/or a copyright owner, *and* also specify that he has filed a claim/claims for the royalty year(s) at issue. Id.

The adoption of the significant interest requirement reflects the congressional and regulatory intent to identify interested parties and prevent the undue delay of proceedings caused by frivolous claims. This requirement helps to improve administrative efficiency, and so failure to comply with such mandate may result in wasted administrative resources, a prolonged proceeding and prejudice to other parties in the proceeding. It is also well-established that the CRB cannot waive a mandate explicitly imposed by a statute. See Filing of Claims for DART Royalty Funds, 67 Fed. Reg. 5,213, 5,214 (Feb. 5, 2002) (“The Office is not, and indeed cannot,

waive the statutory deadline for the filing of DART claims.”); see also Chevron USA Inc. v. Natural Resources Defense Council, Inc., 467 U.S. 837, 842-43 (1984) (“If the intent of Congress is clear . . . the court, as well as the agency, must give effect to the unambiguously expressed intent of Congress.”).

Section 351.1(b)(2)(i)(A) of the CRB regulations also requires that each Petition to Participate filed in a royalty distribution proceeding include “[t]he petitioner’s full name, address, telephone number, facsimile number (if any), and e-mail address (if any).” 37 C.F.R. § 351.1(b)(2)(i)(A). The CRB intentionally codified this requirement in its regulations to reflect the long-term practice of the Copyright Office to mandate that such information be included in a Petition to Participate. Procedural Regulations for the Copyright Royalty Board, 70 Fed. Reg. at 30,902.

To constitute a valid filing, a Petition to Participate, which complies with all the requirements specified in the statutes, regulations and the CRB’s specific orders, must be filed “no later” than the due date unless “substantial good cause” for accepting such petition is shown and no prejudice to other timely-filed participants results from such acceptance. 17 U.S.C. § 803(b)(1)(A)(ii); 37 C.F.R. § 351.1(d). The term “substantial good cause” imposes a higher threshold than “mere good cause.” Procedural Regulations for the Copyright Royalty Board, 70 Fed. Reg. at 30,903.

In the past, when the CRB has addressed the issue of late-filed petitions, it has required the petitioner to offer a valid basis for the untimely filing. 2013 Determination and Order at 2 (dismissing a Petition to Participate for failure to make a timely filing and to “offer any basis by which the Judges might consider excusable neglect” for untimely filing). Additionally, the issue of untimely filings has been addressed in other federal venues. In the case of the Merit Systems

Protection Board, the court recognized the federal agency's use of the following factors in determining good cause for accepting a late-filed pleading, "the length of the delay; whether [the petitioner] was notified of the time limit or was otherwise aware of it; the existence of circumstances beyond the control of the [petitioner] which affected his ability to comply with the time limits; the degree to which negligence by the [petitioner] has been shown to be present or absent; circumstances which show that any neglect involved is excusable neglect; a showing of unavoidable casualty or misfortune; and the extent and nature of the prejudice to the agency which would result from waiver of the time limit." Kerr v. Merit Systems Protection Board, No. 17-2538, at 6 (Fed. Cir. 2018) (citing Herring v. Merit System Protection Board, 778 F.3d 1011, 1013-14 (Fed. Cir. 2015) (quoting Alonzo v. Dep't of the Air Force, 4 MSPB 262, 264, 4 M.S.P.R. 180, 184 (1980)).

Furthermore, participants in DART distribution proceedings are expected to review the regulations governing these proceedings, before even filing their initial claims, to ensure that they comply with regulatory and statutory requirements. DART Factsheet on Filing Claims for Royalty Distribution, Copyright Office, <http://www.copyright.gov/carp/dartfact.html> (last visited on Jul. 4, 2014)

[<https://web.archive.org/web/20140704090450/http://www.copyright.gov/carp/dartfact.html>]

("DART Factsheet"); see Heckler v. Community Health Services of Crawford Cty., Inc., 467 U.S. 51, 63 (1984) ("This is consistent with the general rule that those who deal with the Government are expected to know the law"); see also Rock Island, A. & LR Co. v. United States, 254 U.S. 141, 143 (1920) ("Men must turn square corners when they deal with the Government.").

Equally well-established is the fact that a waiver of DART regulations is only granted if extraordinary circumstances warrant a deviation from the general rules and such deviation serves the public interest. Filing of Claims for DART Royalty Funds, 67 Fed. Reg. at 5,214 (quoting Northeast Cellular Telephone Company v. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990)). Strict adherence to the laws and regulations that apply to a proceeding also ensures the “evenhanded administration of the law.” McNeil v. United States, 508 U.S. 106, 113 (1993) (quoting Mohasco Corp. v. Silver, 447 U.S. 807, 826 (1980)). For the CRB to do otherwise may result in a waste of administrative resources. See In re McDonald, 489 U.S. 180, 184 (1989) (“Every paper filed with the Clerk of this Court, no matter how repetitious or frivolous, requires some portion of the institution’s limited resources. A part of the Court’s responsibility is to see that these resources are allocated in a way that promotes the interests of justice.”).

CRB Order of Consolidation and Consolidated Proceeding Notice

In addition to the requirements delineated in the Copyright Act and the CRB regulations, the requirement that petitioners “identify *by year* each subfund in the Sound Recordings Fund to which they are asserting claims (*i.e.*, Copyright Owners, Featured Recording Artists, or both) was plainly stated in the Consolidated Proceeding Notice. Consolidated Proceeding Notice at 66,313. Similarly, the Order of Consolidation, issued prior to the notice, directed parties to identify, in “each document” filed, “*with specificity* the subfund(s) that is/are the subject of the filing and the year(s) at issue.” Order of Consolidation at 2. The specific subfund(s) and years to which a petitioner is asserting a claim is crucial information. It enables the CRB to ascertain whether such petitioner has a significant interest in the distribution proceeding and helps ensure the efficient management of the consolidated proceeding. It is especially important in the current

consolidated proceeding, which involves multiple distribution years and subfunds. Order of Consolidation at 1; Consolidated Proceeding Notice at 66,312.

ARGUMENT

Powell's Filings Should Be Rejected for His Failure to Comply with the Copyright Act, CRB Regulations, Order of Consolidation and Consolidated Proceeding Notice

Powell's filings are defective and should be rejected because of his failure to (1) demonstrate a significant interest in the 2007 – 2011 DART Sound Recordings Fund distribution proceeding; (2) identify by year each subfund to which he is asserting a claim; and (3) include the telephone number, facsimile number (if any) and e-mail address (if any) in his filing. 17 U.S.C. § 803; 37 C.F.R. § 351.1; Consolidated Proceeding Notice; Order of Consolidation.

Powell's first and second filings² are identical and consisted of the following statements:

I d/b/a David Powell verified motion petition to participate in any and all Dart Consolidated proceedings. To include past, current, and future distributions. No controversies exist in any re: proceedings for royalty payments.³ Agreed yes w/ settling and allocation phase parties added to settlement list.⁴ Motion to include any Sound Recording and Music Work Subfunds: Copyright Owners, Featured Recording Artist, Non featured Musician, Non Featured Vocalist, Music Works Publishers and Writers Funds.⁵ Any Partial and final Distributions known and unknown to include Dart 2008-3 CRB DD (2007-2011 SRF) distributions. Powell Filings.

² By filing more than one document as his Petition to Participate, Powell failed to adhere to the requirement specified in the CRB order that "[a]ny entity filing pleadings or other papers relating to the Sound Recording fund shall make *only one* filing." Order of Consolidation at 1 (emphasis added).

³ Powell incorrectly stated that "no controversies exist in any re: proceedings for royalty payments." The CRB has already determined that "a controversy exists with respect to the distribution of the 2007, 2009, 2010, and 2011 DART Sound Recordings Fund Copyright Owners and the Featured Recording Artists Subfunds and, with respect to the 2008 DART Sound Recordings Fund Copyright Owners Subfund." Consolidated Proceeding Notice at 66,313.

⁴ Powell stated that he "[a]greed w/ settling and allocation phase parties added to settlement list." However, he is a non-settling party. In fact, he is the only non-settling party in the 2007 DART Sound Recordings Fund Copyright Owners Subfund distribution proceeding. Notice of Settlement and Request for Partial Distribution of the 2007 Sound Recordings Fund Royalties, In the Matter of Distribution of DART Sound Recordings Fund Featured Recording Artists and Copyright Owners Subfunds Royalties for 2007, Docket No. 2008-3 CRB DD 2007 (Sept. 15, 2008). Furthermore, Powell refers to "phase parties," however, there are no phases in a DART Sound Recordings Fund distribution proceeding.

⁵ Powell included the DART Music Works Funds for Music Publishers and Writers as well as DART Sound Recordings Fund for Non-featured Vocalists and Non-featured Musicians. These subfunds are not at issue in this 2007 – 2011 DART Sound Recordings Fund distribution proceeding. See Consolidated Proceeding Notice.

Powell's filings did not identify him as a featured recording artist, a copyright owner, or other interested copyright party as defined in Section 1001 of the AHRA. 17 U.S.C. §§ 1001(7), 1006(a). Nor did the document state that he had filed a claim in any of the consolidated Sound Recording Funds and subfunds. 17 U.S.C. §§ 1006-07. Powell, therefore, failed to include any description of his interest in the 2007 – 2011 Sound Recordings Fund and to demonstrate a "significant interest" in this distribution proceeding. 17 U.S.C. § 803(b)(1)(B), (b)(2)(C); 37 C.F.R. § 351.1(b)(2)(i)(C). Powell's failure to describe how he qualifies as an interested copyright party and establish his significant interest in this distribution proceeding is a fatal flaw and therefore, his filings should be rejected pursuant to both Section 803(b) of the Copyright Act and Section 351.1(b) and (c) of the CRB regulations. 17 U.S.C. § 803(b)(1)(B), (b)(2)(A), (b)(2)(C); 37 C.F.R. § 351.1(b), (c).

The fact that Powell has filed his documents along with a one hundred and fifty dollars (\$150) filing fee does not automatically qualify him as a participant in the consolidated proceeding. See 2018 – 2022 SDARS Notice.

Moreover, by including subfunds that are irrelevant to this proceeding, such as the "Non featured Musician, Non Featured Vocalist, Music Works Publishers and Writers Funds," and failing to specify particular years, instead merely stating "any and all Dart Consolidated proceedings . . . past, current, and future distributions" as well as "[a]ny Partial and final Distributions known and unknown to include Dart 2008-3 CRB DD (2007-2011 SRF) distributions," Powell has claimed royalties for subfunds and royalty years to which he is not entitled. Powell Filings. In doing so, Powell is trying, at the very least, to confuse the proceeding, or more likely to avail himself of royalties to which he is not entitled.

Powell's defective statement also ignores the CRB's requirement that the Petition to Participate specifically identify, "*by year* each subfund" in the Sound Recordings Fund to which a participant is asserting a claim. Consolidated Proceeding Notice at 66,313; see Order of Consolidation at 2. According to his filings, Powell's filing appears to include his claim for "any and all Dart Consolidated proceedings," "past, current, and future distributions," "any Sound Recording . . . Subfunds" and "[a]ny [p]artial and final [d]istributions known and unknown to include Dart 2008-3 CRB DD (2007-2011 SRF) distributions." Powell Filings. However, Powell has only one claim on file for the consolidated period and that is a claim for the 2007 Copyright Owners Subfund. 2007 DART Claims List, Ex. 1; 2008 DART Claims List, Ex. 2; 2009 DART Claims List, Ex. 3; 2010 DART Claims List, Ex. 4; 2011 DART Claims List, Ex. 5 (collectively referred to as "2007 – 2011 DART Claims Lists"). Powell has not filed claims in the Sound Recordings Fund for royalty years 2008 – 2011. 2007 – 2011 DART Claims Lists. Powell's vague and inaccurate statements do not satisfy the CRB's clear requirement that a petitioner identify "*by year* each subfund" for which he is claiming royalties. Consolidated Proceeding Notice at 66,313; see Order of Consolidation at 2.

Powell's defective filings also fail to include his phone number, email address (if any) and facsimile number (if any), which are explicitly required, by the CRB regulations, to be included in a Petition to Participate. 37 C.F.R. § 351.1(b)(2)(i)(A). His failure to comply with this requirement, along with all the other requirements discussed above, demonstrate a pattern of flagrant disregard for the CRB's procedures.

Powell's vague statement, which lacks all the requisite information and instead includes false claims for royalties during the periods included in the consolidated proceeding, calls into question his legally protectable interest in the 2007 – 2011 Sound Recordings Fund.

AARC submits that Powell's blatant indifference to the statutes, regulations and CRB directions provides a sufficient basis for rejecting his defective filing.⁶ 17 U.S.C. § 803; 37 C.F.R. § 351.1; Consolidated Proceeding Notice; Order of Consolidation.

Powell Should Not Be Allowed to File A Petition to Cure the Defective Filings Because the Due Date Has Passed

Powell's filings should be rejected, and he should be prohibited from filing a petition or any amendment to his current filings that cure the defects detailed above. The CRB deadline for filing petitions has passed and no "substantial good cause" exists for excusing Powell's failure to file a valid and timely Petition to Participate. 17 U.S.C. § 803(b)(1)(A)(ii); 37 C.F.R. § 351.1(d).

As discussed above, the term "substantial good cause" imposes a higher threshold than "mere good cause." Procedural Regulations for the Copyright Royalty Board, 70 Fed. Reg. at 30,903. The CRB has recognized this higher standard and required a petitioner who files a late-filed Petition to Participate to provide a reason for the late filing, so that the CRB could ascertain whether "excusable neglect" for the untimely filing exists. 2013 Determination and Order at 2.

There is no evidence of excusable neglect in this case. First, Powell has a long history of participating in DART Musical Works Fund and Sound Recordings Fund distribution proceedings. See, e.g., Distribution Order, In the Matter of Distribution of 2007 Digital Audio Recording Royalty Funds, Docket No. 2008-3 CRB DD 2007 (Oct. 14, 2008); Written Case Pro Se David Powell, In the Matter of Distribution of Digital Audio Recording Technology Musical Works Royalty Funds, Docket No. 2010-8 CRB DD 2005-2008 (MW) (Dec. 14, 2013) ("Powell

⁶ Although the CRB has stated that the procedural deficiencies are not sufficient to dismiss an "otherwise facially valid copyright claim," here, the procedural deficiencies are related to a Petition to Participate not a copyright claim. Moreover, the information that is missing from Powell's filings is specifically required by statutes, regulations, and CRB directives. Order Denying AARC's Motion to Dismiss Eugene Curry's Claim, In the Matter of Distribution of 2015 Digital Audio Recording Royalty Funds, Docket No. 16-CRB-0014 DART (SRF-CO) (2015), at 2 (Jun. 1, 2017).

Direct Case for 2005 – 2008 Musical Works Fund Distribution”); Order Granting AARC’s Request for Partial Distribution of Royalties from the 2013 DART Sound Recordings Fund (Copyright Owners and Featured Recording Artists Subfunds), In the Matter of Distribution of 2013 Digital Audio Recording Royalty Funds, Docket No. 14-CRB-0006 DART SR (CO/FA) (2013) (Dec. 19, 2014); Order Granting Claimants’ Request for Partial Distribution of 2012 through 2013 DART Musical Works Fund Royalties, In the Matter of Distribution of Digital Audio Recording Technology (DART) Royalty Funds (Musical Works Fund), Docket No. 16-CRB-0013 DART-MWF (2012-2013) (Jul. 31, 2017) (“2012 – 2013 Musical Works Fund Distribution Order”). Therefore, he should be familiar with the CRB’s distribution proceeding requirements.

Furthermore, the CRB explicitly stated in its notice that all petitions shall be filed “no later than January 25, 2019.” Consolidated Proceeding Notice at 66,312. The CRB took the extra step of advising the parties that the petitions “must provide all the information required by 37 CFR 351.1 (b)(2),” even though parties are expected to be familiar with the laws and regulations of the CRB before participating in a proceeding. Consolidated Proceeding Notice at 66,313; see DART Factsheet; see also Heckler, 467 U.S. at 63; Rock Island, A. & LR Co., 254 U.S. at 143. Hence, Powell was on notice of the filing deadline, as well as the requisite information that had to be submitted by the due date. See Kerr, No. 17-2538 at 6 (recognizing whether the petitioner was notified or otherwise aware of the time limit as one of the factors in determining good cause for late-filing). Moreover, the fact that Powell filed his second identical document on January 24, 2019, one day before the deadline set in the Consolidated Proceeding Notice, demonstrates that Powell was fully aware of the due date and other filing requirements in this proceeding. See Id.

Powell had not one, but two, opportunities to provide the requisite information. So, it is inconceivable that he was unable to comply with the statutory and regulatory requirements because of the “existence of circumstances beyond the control” or any “unavoidable casualty or misfortune.” See Id. Powell should not be given a third bite at the apple. AARC submits that Powell’s failure to file a valid petition, by the deadline, amounted to a willful disregard of the statutes, regulations and CRB directives. Therefore, AARC respectfully submits that no “substantial good cause” for accepting a late-filed Petition to Participate from Powell exists in this case. 17 U.S.C. § 803(b)(1)(A)(ii); 37 C.F.R. § 351.1(d).

In determining whether to accept a late-filed petition, the CRB should also evaluate “the extent and nature of the prejudice to the agency” as well as “to other timely-filed participants” which will result from waiving the due date. 17 U.S.C. § 803(b)(1)(A)(ii); 37 C.F.R. § 351.1(d); see Kerr, No. 17-2538 at 6. In accessing the prejudice to the CRB, as well as other timely-filed parties, Powell’s long history of asserting baseless claims should be considered. For example, in the 2005 – 2008 Musical Works Fund distribution proceeding, instead of filing the requisite direct case, he merely filed a written statement alleging that he was entitled to 25% of the 2005 – 2008 Musical Works Fund. Powell Direct Case for 2005 – 2008 Musical Works Fund Distribution at 3. Powell provided no sales information to support his claim. Id. Instead of sales data, Powell submitted documents that were irrelevant to that proceeding, including his communications with the Department of Justice, the Federal Communication Commission, the Attorney General of State of Connecticut, and the International Criminal Police Organization, and the U.S. Office of Special Counsel on matters unrelated to the DART proceeding. Id. Furthermore, in his submission, Powell raised frivolous, unrelated and unsupported allegations such as “[a] crime [sic] falsifying records to conceal a wrong doing,” “fraud on the court with

introduction of fabricated evidence,” and “conspiracy with Royalty Judges.” Id. at 4-5. Another example can be found in the 2012 – 2013 Musical Works Fund distribution order, where the CRB noted that while Powell filed an opposition to the settling parties’ request for partial distribution, he provided no basis for his objection. The CRB, therefore, granted the partial distribution. 2012 – 2013 Musical Works Fund Distribution Order at 1.

Powell’s participation in CRB proceedings, other than distribution proceedings, also demonstrates his propensity for filing irrelevant material, raising baseless claims and disregarding procedural requirements. As noted above, in a recent rate proceeding, the CRB dismissed his Petition to Participate for failure to state an interest in the proceeding. See 2018 – 2022 SDARS III Order Denying Powell’s Motions. However, even after the CRB rejected Powell’s petition, he continued to submit filings. This compelled the CRB to issue another order prohibiting Powell from filing any other documents. Id. (“Since Mr. Powell is no longer a participant in this proceeding, the Judges **REJECT** all [his] filings and **DENY** all motions contained in them. Mr. Powell is **PROHIBITED** from filing further papers in this proceeding.”) The CRB further admonished Powell, stating that even if he was a participant, one of his filings did “not even refer to the subject matter of this proceeding” and the CRB would have dismissed all the filings because he failed to serve other participants in the proceeding as required by the CRB regulations. Id.

Powell also filed a defective Petition to Participate in the 2018 – 2022 rate proceeding for making and distributing phonorecords. There, Powell also failed to provide a description of his interest in the rate proceeding even though the CRB notice for this proceeding explicitly stated that only “parties with significant interest” were to file Petitions to Participate and required that petitions comply with section 351.1(b) of the CRB regulations. Determination of Rates and

Terms for Making and Distributing Phonorecords (Phonorecords III), 81 Fed. Reg. 255, 256 (Jan. 5, 2016); Verified Motion Petition to Participate Determination of Rates and Terms for Making and Distributing Phonorecords (Phonorecords III), In the Matter of Determination of Rates and Terms for Making and Distributing Phonorecords (Phonorecords III), Docket No. 16-CRB-0003 PR (2018-2022) (Feb. 4, 2016) (“Powell Petition for Phonorecords III Rate Proceeding”). As in the case of the current consolidated proceeding, Powell only included an ambiguous statement, rather than describing his significant interest in the proceeding. There, he claimed “[a]s a virtual representation standing (third party) zone of interest pro se.” Powell Petition for Phonorecords III Rate Proceeding. According to the CRB website, other than filing the defective petition, Powell did not participate in the proceeding and is not listed in the official list of participants. Determination of Rates and Terms for Making and Distributing Phonorecords (Phonorecords III), eCRB, <https://app.crb.gov/case/detail/16-CRB-0003-PR%20%282018-2022%29> (last visited on February 5, 2019).

As demonstrated above, Powell is accustomed to wasting the valuable time and resources of the CRB and that of other participants. Such behavior should not be tolerated. Furthermore, since Powell is the only non-settling claimant in the 2007 Sound Recordings Fund Copyright Owners Subfund, who has filed in the consolidated proceeding, accepting Powell’s invalid filings or allowing Powell to file a petition to cure the defects in his current filings will compel the CRB to commence a paper proceeding for the distribution of the 2007 DART Sound Recordings Fund Copyright Owners Subfund. 2007 – 2011 DART Claims Lists. Judging from Powell’s past and current behavior, we can assume that he would continue to ignore the CRB’s procedural requirements and present baseless assertions.

Rewarding Powell's blatant disregard of the statutory and regulatory requirements, will encourage his apathy towards the CRB's procedures and, unduly delay the final distribution of the 2007 Sound Recordings Fund Copyright Owners Subfund royalties. Therefore, not only are Powell's actions harmful to the integrity of the CRB's adjudicative functions, they are unfair to parties, such as AARC, that regularly and carefully comply the CRB's processes.

CONCLUSION

AARC has satisfied all the statutory, regulatory and CRB ordered requirements in a timely manner. Powell, on the other hand, has failed to comply with most of the requirements imposed by the Copyright Act, CRB regulations, CRB order and CRB notice. In addition, Powell's lengthy history of disregarding the procedural requirements in other CRB proceedings, demonstrates a likelihood that he will not abide by any of the requirements in the current proceeding. Therefore, it appears that his goal is merely to delay and complicate the proceeding.

WHEREFORE, in view of the foregoing, AARC respectfully requests that the CRB reject Powell's defective filings in the royalty distribution of the 2007 – 2011 DART Sound Recordings Fund and reject any attempts to file a late Petition to Participate.

Respectfully submitted,
On Behalf of AARC



Linda R. Bocchi, Esq.

DC BAR# 338012

VA BAR# 77599

Executive Director

Alliance of Artists and Recording Companies

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(703) 535-8105(facsimile)

lbocchi@aarcroyalties.com

February 6, 2019

2007 DART Claims List - Exhibit 1

Claim #	Claimant or Filer/Single or Joint	Representing	(postmark, electronic, filing method)	Status	Filer's Status	Subfund	Contact Name	Address	Contact Phone	Contact Email	Contact Fax
1	Matthew Scott Primous		1/2/2008 Electronic	Interested	Interested	Featured Artist	same as claimant	P.O. Box 973 Penfield, NY 14526-3964	585-730-585-730-3964	matthewprimous@hotmail.com	
2	Eric N. Burns Denise Higginbotham, Regina Westbrook, Melanie Higginbotham, Edie Hall, Ayanna Taylor, Delores Higginbotham, Keith Higginbotham, Lamont Higginbotham	Joint w/ Denise Higginbotham, Regina Westbrook, Melanie Higginbotham, Edie Hall, Ayanna Taylor, Delores Higginbotham, Keith Higginbotham, Lamont Higginbotham	1/7/2008 Electronic	Interested	Interested	Copyright Owners	same as claimant	11438 Grable Ct. Fontana, CA 92337 0802	909-427-909-427-0802	Ericman8@aol.com	
3	Richard Higginbotham - Joint w/ Denise Higginbotham, Regina Westbrook, Melanie Higginbotham, Edie Hall, Ayanna Taylor, Delores Higginbotham, Keith Higginbotham, Lamont Higginbotham	Joint w/ Denise Higginbotham, Regina Westbrook, Melanie Higginbotham, Edie Hall, Ayanna Taylor, Delores Higginbotham, Keith Higginbotham, Lamont Higginbotham	1/15/2008 Electronic	Interested & Authorized	Interested & Authorized	Writers Subfund	Richard Higginbotham	220 Montgomery Avenue, Suite 133 Springfield, OH 45506	937-450-937-450-5103	delomusic@excite.com	
4	Richard Higginbotham - Joint w/ Denise Higginbotham, Regina Westbrook, Melanie Higginbotham, Edie Hall, Ayanna Taylor, Delores Higginbotham, Keith Higginbotham, Lamont Higginbotham	Joint w/ Denise Higginbotham, Regina Westbrook, Melanie Higginbotham, Edie Hall, Ayanna Taylor, Delores Higginbotham, Keith Higginbotham, Lamont Higginbotham	1/15/2008 Electronic	Interested & Authorized	Interested & Authorized	Featured Artist	Richard Higginbotham	220 Montgomery Avenue, Suite 133 Springfield, OH 45506	937-450-937-450-5103	delomusic@excite.com	
5	Richard Higginbotham - Joint w/ Denise Higginbotham, Regina Westbrook, Melanie Higginbotham, Edie Hall, Ayanna Taylor, Delores Higginbotham, Keith Higginbotham, Lamont Higginbotham	Joint w/ Denise Higginbotham, Regina Westbrook, Melanie Higginbotham, Edie Hall, Ayanna Taylor, Delores Higginbotham, Keith Higginbotham, Lamont Higginbotham	1/15/2008 Electronic	Interested & Authorized	Interested & Authorized	Copyright Owners	Richard Higginbotham	220 Montgomery Avenue, Suite 133 Springfield, OH 45506	937-450-937-450-5103	delomusic@excite.com	
6	David Powell		1/15/2008 Electronic	Interested & Authorized	Interested & Authorized	Publishers	Richard Higginbotham	220 Montgomery Avenue, Suite 133 Springfield, OH 45506	937-450-937-450-5103	delomusic@excite.com	
7	David Powell		1/18/2008 Electronic	Interested	Interested	Copyright Owners	same as claimant	P.O. Box 010950 Miami, FL 33101	305-539-305-539-1755	davidpowell008@yahoo.com	
8	TAJAI Music Inc.		1/24/2008 Electronic	Interested	Interested	Publishers	Eugene Curry	4000 Bypsy Lane, Philadelphia, PA 19129 Ste 245	215-843-215-843-8261	liset@voicenet.com	
9	Jalil Hutchins		1/30/2008 Electronic	Interested	Interested	Writers Subfund	same as claimant	124 Old Mill Court College Park, GA 30309	917-826-917-826-4750	ja-ja@email.com	
10	Cecil Lyde		1/30/2008 Electronic	Interested	Interested	Writers Subfund	same as claimant	807 W Colter St. #71 Phoenix, AZ 85013	602-399-602-399-4039	cecilholden@earthlink.net	

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11	Diana L Rocha - Joint w/Jacqueline Lemne Bosch	1/31/2008	Electronic	Authorized	Publishers Subfund	same as claimant	701 Price Street, #101, Pismo Beach, CA 93449	805-904- 9910	purplemoun@aol.com
12	Broadcast Music, Inc.-Joint	2/1/2008	mail	Interested	Publishers Subfund	Marvin Berenson	320 West 57th Street, New York, NY 10019	212-586- 2000, 212- 830-2533	mberenson@bmi.com 212-397- 0789
13	Broadcast Music, Inc.-Joint	2/1/2008	mail	Interested	Writers Subfund	Marvin Berenson	320 West 57th Street, New York, NY 10019	212-586- 2000, 212- 830-2533	mberenson@bmi.com 212-397- 0789
14	Harry Fox Agency-Joint	2/4/2008	mail	Authorized	Publishers Subfund	James Austin	601 West 26th Street, 5th Floor New York, NY 10001	212-834- 0100	jaustin@harryfox.com 646-487- 6786
15	Harry Fox Agency-Joint	2/4/2008	mail	Authorized	Writers Subfund	James Austin	601 West 26th Street, 5th Floor New York, NY 10001	212-834- 0100	jaustin@harryfox.com 646-487- 6786
16	Edward Ray Fenner	2/7/2008	mail	Interested	Copyright Owners	same as claimant	905 Indiana Street, Kannapolis, NC 28083	704-938- 8303	RayRay905@ctc.net
17	Disney Music Publishing-Joint	2/22/2008	mail	Interested & Authorized	Publishers Subfund	Eric Palmquist	500 South Buena Vista St. Burbank, CA 91521-6435	818-567- 5082	Eric.Palmquist@disney.com 818-567- 5178
18	Cheryl Harris obo Pearl Records	2/22/2008	mail	Authorized	Copyright Owners	same as claimant	1025 16th Avenue South, Suite 202 Nashville, TN 37212	615-320- 5291	cherylharris@oneillhagaman.com 615-320- 5651
19	Sesac, Inc.-Joint	2/28/2008	mail	Interested	Writers Subfund	John C. Beiter	1014 Sixteenth Ave., South Nashville, TN 37212	615-256- 7200	jbeiter@zahlaw.com 615-256- 7106
20	Sesac, Inc.-Joint	2/28/2008	mail	Interested	Publishers Subfund	John C. Beiter	1014 Sixteenth Ave., South Nashville, TN 37212	615-256- 7200	jbeiter@zahlaw.com 615-256- 7106
21	Yvonne Davis	2/29/2008	mail	Interested	Writers Subfund	same as claimant	2514 Kimball St. Philadelphia, PA 19146	267-226- 2360	YvonneReneeDavis@excite.com
22	American Society of Composers, Authors and Publishers-Joint	2/1/2008	mail	Interested	Writers Subfund	Samuel Mosenkis	One Lincoln Plaza New York, NY 10023	212-621- 6450	smosenkis@ascap.com 212-787- 1381
23	Jeffrey Jacobson, Esq.	1/31/2008	Electronic	Authorized	Copyright Owners	same as claimant	Jacobson & Colfin, P.C. 60 Madison Avenue, Suite 1026, New York, NY 10010	212-691- 5630	jeffrey@thefirm.com

Jeffrey Jacobson, Esq.-Joint w/ Norton Records, Mick Taylor, Tony Pace, Ged Roman, Misha Williams, Zen Tricksters, Kettle Joe, The Process, Roots	1/31/2008	Electronic	Authorized	Featured Artist	same as claimant	Jacobson & Collin, P.C. 60 Madison Avenue, Suite 1026, New York, NY 10010 212-691- 5630	jeffrey@thefirm.co m
24 Revealers, Vaneese Thomas Jeffrey Jacobson, Esq. - Joint w/Kosmic Daydream, The Persuaders, K4, J rad, John Kaizan Neptune, Nation, Teresa Michalina, israel vibration, Vince Andrews, Kindred Souls	1/31/2008	Electronic	Authorized	Publishers Subfund	same as claimant	Jacobson & Collin, P.C. 60 Madison Avenue, Suite 1026, New York, NY 10010 212-691- 5630	jeffrey@thefirm.co m
Jeffrey Jacobson, Esq. - Joint w/ Norton Records, Mick Taylor, Tony Pace, Ged Roman, Misha Williams, Zen Tricksters, Kettle Joe, The Process, Roots	1/31/2008	Electronic	Authorized	Writers Subfund	same as claimant	Jacobson & Collin, P.C. 60 Madison Avenue, Suite 1026, New York, NY 10010 212-691- 5630	jeffrey@thefirm.co m
26 Revealers, Vaneese Thomas	1/31/2008	Electronic	Authorized	Writers Subfund	same as claimant	Jacobson & Collin, P.C. 60 Madison Avenue, Suite 1026, New York, NY 10010 212-691- 5630	jeffrey@thefirm.co m
27 Rohan Shand	2/4/2008	Electronic	Interested	Copyright Owners	same as claimant	11670 Virginia Avenue, Lynwood, CA 90262 310-502- 9752	spoogy2@earthlink .net
28 Rohan Shand	2/4/2008	Electronic	Interested	Featured Artist	same as claimant	11670 Virginia Avenue, Lynwood, CA 90262 310-502- 9752	spoogy2@earthlink .net
29 Shand Music	2/4/2008	Electronic	Interested	Publishers Subfund	same as claimant	11670 Virginia Avenue, Lynwood, CA 90262 310-502- 9752	spoogy2@earthlink .net
30 Rohan Shand	2/4/2008	Electronic	Interested	Writers	same as claimant	11670 Virginia Avenue, Lynwood, CA 90262 310-502- 9752	spoogy2@earthlink .net

Big Loud Trucks-Joint w/w/ Austin Cunningham, Billy Austin, Billy Dean, Billy Ray Cyrus, Bob Regan, Bobby L. Taylor, Brad Crisler, Brandon Church, Chad Jeffers, Chris Tompkins, Cory Batten, Craig Wiseman, Darla Perlozzi, Darryl Worley, Daryl Burgess, Dwayne O'Brien, Glen Stephens aka Glen Mitchell, Jack Wallin, Jan Pulsford, Joan Wilson, John Garden, Keith Ridenour, Kent Blazy, Kent Robbins, Kirsti Mann-Warner, Marcus Johnson, Nancy Bryant, Nicole Witt, Richard Madariaga, Rick Giles, Samuel Gay, Templeton Thompson, Tim Gates, Timothy Galloway	2/20/2008	Electronic	Authorized	Writers Subfund	Kele Currier	1111 16th Avenue South, Nashville, TN 37212	615-329- 2729	Kele@BigLoudBuck s.com
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Big Loud Bucks - Joint w/ 1808 Music, Ameribrit Music Publishing, Big Bobcat Music, Big Loud Sounds, Big Red Toe, Billy Dean Music Group, LLC, Billy Ray Cyrus Music, Burg-Isle Music, Connected at the Hit Songs, Good Song Gone Bad, Green Hills Music, Groovenslide Music, Icoja Publishing, Jack Wallin Music, Kirsti Mannasongs, Late Night Productions Limited, Lil Ninja Tim-Mae, Lily's World Musci, MamaRi Music, More DB Music, Mrs.Lumpkins Poodle(BLB), Music of Green Hills, Nashmo Sound, Perlozzi Music, Pickwick Landing Songs, Red One Music, Regan Music Publishing, Rich N Rare Music, Rico Rock Music, Robbins Legacy Music, Inc., Senior Partner Music, Songnovel Songs, Songs O'Brien, Songs of Platinum Pen, Songwriters of Platinum Pen, Sunnageronimo Publishing Inc, This is Bliss Music Publishing, Tim Bert Music, Travelers Ridge Music, Vertical Music Systems	2/20/2008	Electronic	Authorized	Publishers Subfund	Kele Currier	111 16th Avenue South, Nashville, TN 37212	615-329-2729	Kele@Bigloudbucks.com
33 Publishing								
35 christopher d corso/chris corso	2/23/2008	Electronic	Interested	Writers	Christopher D. Corso	1215 Diana Road, Santa Barbara, CA 93103	805-884-1041	chris.corso@worldnet.att.net
36 christopher d corso/chris corso	2/23/2008	Electronic	interested	Copyright Owners	Christopher D. Corso	1215 Diana Road, Santa Barbara, CA 93103	805-884-1041	chris.corso@worldnet.att.net
Our Own Performance Society, 37/Inc. (OOPS)	2/23/2008	Electronic	Authorized	Publishers Subfund	James Cannings	4002nd Ave. #22C, New York, NY 10010	212-642-8260	icrec10@jamescannings.com
Our Own Performance Society, 38/Inc. (OOPS)	2/23/2008	electronic	Authorized	Writers	James Cannings	400 2nd Ave. #22C, New York, NY 10010	212-642-8260	icrec10@jamescannings.com
39 JC Records	2/23/2008	Electronic	Authorized	Featured Artist	James Cannings	400 2nd Ave. #22C, New York, NY 10010	212-642-8260	icrec10@jamescannings.com
40 JC Records	2/23/2008	Electronic	Authorized	Copyright Owners	James Cannings	400 2nd Ave. #22C, New York, NY 10010	212-642-8260	icrec10@jamescannings.com

41	Robert W. Boyle		2/25/2008	Electronic	Interested	Copyright Owners	Robert W. Boyle	136 Hurd St., Mine Hill, NJ 07803-3249	973-361-6070	rwboyle@optonline.net
42	Robert W. Boyle		2/25/2008	Electronic	interested	Featured Artist	Robert W. Boyle	136 Hurd St., Mine Hill, NJ 07803-3249	973-361-6070	rwboyle@optonline.net
43	Robert W. Boyle		2/25/2008	Electronic	Interested	Writers Subfund	Robert W. Boyle	136 Hurd St., Mine Hill, NJ 07803-3249	973-361-6070	rwboyle@optonline.net
44	Robert W. Boyle		2/25/2008	Electronic	Interested	Publishers Subfund	Robert W. Boyle	136 Hurd St., Mine Hill, NJ 07803-3249	973-361-6070	rwboyle@optonline.net
45	Terrain Foster		2/26/2008	Electronic	Authorized	Writers Subfund	Terrain Foster	227 Eastgate Circle, Marietta, GA 30008	404-207-7979	gospelcreators@gmail.com
49	Rio Bravo Music, Inc.		2/27/2008	Electronic	Authorized	Writers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
50	Ooma Songs, LLC		2/27/2008	Electronic	Authorized	Writers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
51	Major Bob Music, Inc.		2/27/2008	Electronic	Authorized	Writers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
52	John Peppard Publisher		2/27/2008	Electronic	Authorized	Writers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
53	Cowboy Hat Trick Music		2/27/2008	Electronic	Authorized	Writers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
54	Castle Bound Music, Inc.		2/27/2008	Electronic	Authorized	Writers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
55	Wild Mountain Thyme		2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
56	Castle Bound Music, Inc.		2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
57	Major Bob Music, Inc.		2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
58	Asbury Lane Music		2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
59	Cowboy Hat Trick Music		2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com
60	Keep Dreamin' Music		2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	Wcrosby@majorbo b.com

61 Little Sharpster Music	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
62 Madeca Music	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
63 John Peppard Publisher	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
64 No Fences Music	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
65 Oona Songs, LLC	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
66 Reiny Dawg Music	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
67 Rio Bravo Music, Inc.	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
68 Rope and Dally Music	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
69 Timbertrain Music	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
70 Taas Music	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
71 St. Myna Music	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
Songs I Wrote While Cutting 72 Gym Class	2/27/2008	Electronic	Authorized	Publishers Subfund	Wendi L. Crosby	1111 17th Avenue South, Nashville, TN 37212	615-329-4150	<a href="mailto:Wcrosby@majorbo
b.com">Wcrosby@majorbo b.com
76 Tim Backer	2/29/2008	Electronic	Interested	Featured Artist	Tim Backer	334 Tonti, South Bend, Indiana 46617	574-233-8644	<a href="mailto:edgaarcordeljan@m
ac.com">edgaarcordeljan@m ac.com
Alliance of Artists and Recording Companies (JOINT) w/Comedy String Entertainment, Compass 77 Records, Green Linnet	2/29/2008	Electronic	Interested and Authorized	Copyright Owners	Linda R. Bocchi	700 North Fairfax Street, Suite 601, Alexandria, VA 22314	703-535-8101	<a href="mailto:lbocchi@aarcroyalt
ies.com">lbocchi@aarcroyalt ies.com
Alliance of Artists and Recording 78 Companies (JOINT)	2/29/2008	Electronic	Interested and Authorized	Featured Artist	Linda R. Bocchi	700 North Fairfax Street, Suite 601, Alexandria, VA 22314	703-535-8101	<a href="mailto:lbocchi@aarcroyalt
ies.com">lbocchi@aarcroyalt ies.com

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2008 DART Claims List - Exhibit 2

2008 DART CLAIMS								
Claim No.	Date Received	Single/Joint Subfund	Method	Filer's Info-Interested Party or AR-authorized Representative	Filers Address	Contact Name	Phone No.	Email
1	1/16/2009	Joint-Writers	Paper	(AR) The Harry Ford Agency, Inc	601 West 26th St., Ste 500 New York, NY 10001	James Austin	212-922-3238	jaustin@harryfox.com
2	1/16/2009	Joint-Publishers	Paper	(AR) The Harry Fox Agency, Inc	601 West 26th St., Ste 500 New York, NY 10001	James Austin	212-922-3238	jaustin@harryfox.com
3	1/29/2009	Featured Artist	Paper	(IP) Herman Kelly	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
4	1/29/2009	Copyright Owners	Paper	(IP) Herman Kelly	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
5	1/29/2009	Writers	Paper	(IP) Herman Kelly	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
6	1/29/2009	Publishers	Paper	(AR) Musiranma Comedy Play	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
7	2/2/2009	Copyright Owners	Paper	(IP) Matthew Scott Primous	P.O. Box 973 Penfield, NY 14526	Matthew Scott Primous	585-355-4590	matthewprimous@hotmail.com
8	2/2/2009	Joint-Publishers	Paper	(IP) Broadcast Music	320 West 57th Street NewYork, NY 10019	Marvin Berenson	212-830-2533	mberenson@bmi.com
9	2/2/2009	Joint-Writers	Paper	(IP) Broadcast Music	320 West 57th Street NewYork, NY 10019	Marvin Berenson	212-830-2533	mberenson@bmi.com
10	2/2/2009	Joint-Writers	Paper	(IP) ASCAP-American Society Composers, Authors Publishers	One Lincoln Plaza New York, NY 10023	Sam Mosekis	212-621-6450	smosenkis@ascap.com
11	2/2/2009	Joint-Publishers	Paper	(IP) ASCAP-American Society Composers, Authors Publishers	One Lincoln Plaza New York, NY 10023	Sam Mosekis	212-621-6450	smosenkis@ascap.com
12	2/3/2009	Copyright Owners	Electronic	(AR) ROIR Records, Inc.	60 Madison Ave, Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
13	2/3/2009	Copyright Owners	Electronic	(AR) VP Records Distributer	60 Madison Ave, Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
14	2/3/2009	Copyright Owners	Electronic	(AR) Kosmic Daydream	60 Madison Ave, Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	(212) 691-5630	jeffrey@thefirm.com

15	2/3/2009	Featured Artist	Electronic	(AR) Kosmic Daydream	60 Madison Ave. Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	(212) 691-5630	jeffrey@thefirm.com
16	2/3/2009	Featured Artist	Electronic	(AR) VP Records Distributor	60 Madison Ave. Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	(212) 691-5630	jeffrey@thefirm.com
17	2/3/2009	Writers	Electronic	(AR) VP Records Distributor	60 Madison Ave. Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	(212) 691-5630	jeffrey@thefirm.com
18	2/3/2009	Publishers	Electronic	(AR) VP Records Distributor	60 Madison Ave. Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	(212) 691-5630	jeffrey@thefirm.com
19	2/4/2009	Copyright Owners	Electronic	(IP) Eric N. Burns	11438 Grable Court Fontana, CA 92337	Eric N. Burns	(909) 427-0802	ericeman8@aol.com
20	2/6/2009	Publishers	Electronic	(IP) Tajai Music Inc.	4000 Gypsy Lane Ste. 245 Philadelphia, PA 19129	Eugene Lambchops Curry	(215) 843-8261	lambchopsmusci@voicenet.com
21	2/6/2009	Copyright Owners	Electronic	(IP) Eugene Lambchops Curry	4000 Gypsy Lane Ste. 245 Philadelphia, PA 19129	Eugene Lambchops Curry	(215) 843-8261	lambchopsmusci@voicenet.com
22	2/6/2009	Writers	Electronic	(IP) Eugene Lambchops Curry	4000 Gypsy Lane Ste. 245 Philadelphia, PA 19129	Eugene Lambchops Curry	(215) 843-8261	lambchopsmusci@voicenet.com
23	2/9/2009	Joint-Publishers	Electronic	(AR) Syler, The Process, J Rad, Barry Cohen, Joel Evan, Kettle Joe, Kosmic Daydream, Nation, John Kaizan Neptune, Vaneese Thomas	60 Madison Ave. Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	(212) 691-5630	jeffrey@thefirm.com
24	2/9/2009	Joint-Copyright Owners	Electronic	(AR) Syler, The Process, J Rad, Barry Cohen, Joel Evan, Kettle Joe, Kosmic Daydream, Nation, John Kaizan Neptune, Vaneese Thomas	60 Madison Ave. Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	(212) 691-5630	jeffrey@thefirm.com

25	2/9/2009	Joint-Featured Artists	Electronic	Syler, The Process, J Rad, Barry Cohen, Joel Evan, Kettle Joe, Kosmic Daydream, Nation, John Kaizan Neptune, Vaneese Thomas,	60 Madison Ave, Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	(212) 691-5630	jeffrey@thefirm.com
26	2/9/2009	Joint-Writers	Electronic	(AR) Syler, The Process, J Rad, Barry Cohen, Joel Evan, Kettle Joe, Kosmic Daydream, Nation, John Kaizan Neptune, Vaneese Thomas	60 Madison Ave, Ste. 1026 New York, NY 10010	Jeffrey E. Jacobson	(212) 691-5630	jeffrey@thefirm.com

27	2/20/2009	Joint-Publishers	Paper	(IP and AR) Disney Music Publishing, Vistaville Music, Nashvillaville Songs, Mad Muppet Melodies, Fuzzy Muppet Songs, Five Hundred South Songs, Seven Peaks Music, Falferious Music, Holpic Music, Hollywood Pictures Music, Buena Vista, Touchstone Pictures, Wonderland, Walt Disney, ABC Family, Balanga, ABC Kids, Agarita, FTS, FFM, ABC Childrens, MRX Music, Miramax Film, MMX Music	500 South Buena Vista St., Burbank, California 91521-6435	Eric Palmquist	(818) 567-5178	Eric.Palmquist@disney.com
28	2/23/2009	Writers Subfund	Paper	(IP) Herman Kelly	P.O. Box 14157 Detroit, Michigan 78214-0157	Herman Kelly	(313) 894-8855	hermankelly@att.net
29	2/23/2009	Featured Artist	Electronic	(IP) Mr. Herman Kelly	P.O. Box 14157 Detroit, Michigan 78214-0157	Herman Kelly	(313) 894-8855	hermankelly@att.net
30	2/23/2009	Writers Subfund	Electronic	(IP) Herman Kelly	P.O. Box 14157 Detroit, Michigan 78214-0157	Herman Kelly	(313) 894-8855	hermankelly@att.net
31	2/23/2009	Publishers Subfund	Electronic	(AR) Musiranma Comedy Play (MCP)	P.O. Box 14157 Detroit, Michigan 78214-0157	Herman Kelly	(313) 894-8855	hermankelly@att.net
32	2/23/2009	Copyright Owners	Electronic	(IP) Herman Kelly	P.O. Box 14157 Detroit, Michigan 78214-0157	Herman Kelly	(313) 894-8855	hermankelly@att.net
33	2/25/2009	Copyright Owners	Electronic	(IP) Eric N. Burns	11438 Grable Court Fontana, CA 92337	Eric N. Burns	(909) 427-0802	ericman8@aol.com
34	2/25/2009	Publishers Subfund	Electronic	(AR) Major Bob Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Wendi Crosby	(615) 329-4150	wcrosby@majorbob.com

35	2/25/2009	Publishers Subfund	Electronic	(AR) Oona Songs LLC	1111 17th Avenue South Nashville, TN 37212	Wendi Crosby	(615) 329-4150	wcrosby@majorbob.com
36	2/25/2009	Publishers Subfund	Electronic	(IP) Castle Bound Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Wendi Crosby	(615) 329-4150	wcrosby@majorbob.com
37	2/25/2009	Publishers Subfund	Electronic	(IP) Rio Bravo Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Wendi Crosby	(615) 329-4150	wcrosby@majorbob.com
38	2/25/2009	Writers Subfund	Electronic	(AR) Major Bob Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Wendi Crosby	(615) 329-4150	wcrosby@majorbob.com
39	2/25/2009	Writers Subfund	Electronic	(AR) Oona Songs LLC	1111 17th Avenue South Nashville, TN 37212	Wendi Crosby	(615) 329-4150	wcrosby@majorbob.com
40	2/25/2009	Writers Subfund	Electronic	(AR) Castle Bound Music Inc	1111 17th Avenue South Nashville, TN 37212	Wendi Crosby	(615) 329-4150	wcrosby@majorbob.com
41	2/25/2009	Writers Subfund	Electronic	(AR) Rio Bravo Music Inc	1111 17th Avenue South Nashville, TN 37212	Wendi Crosby	(615) 329-4150	wcrosby@majorbob.com
42	2/25/2009	Writers Subfund	Electronic	(IP) John Ragsdale	1005 Faye Avenue, Apt. 4 Pocola, OK 74902	Johnny Ragsdale	(479) 353-7858	jonbo1@cox.net
43	2/26/2009	Writers Subfund	Electronic	(IP) Johnny Ragsdale	1005 Faye Avenue, Apt. 4 Pocola, OK 74902	Johnny Keith Ragsdale	(479) 353-7858	jonbo1@cox.net
44	2/27/2009	Writers Subfund	Electronic	(IP) Johnny Keiyh Ragsdale	1005 Faye Avenue, Apt. 4 Pocola, OK 74902	Johnny Keiyh Ragsdales	(479) 353-7858	jonbo1@cox.net
45	2/27/2009	Featured Artist	Electronic	(IP and AR) JOINT Alliance of Artist & Recording Companies	700 North Fairfax St. #601 Alexandria, VA 22314	Linda R. Bocchi	(703) 535-8102	lbocchi@aacroyalties.com
46	2/27/2009	Copyright Owners	Electronic	(IP and AR) JOINT Alliance of Artists & Recording Companies	700 North Fairfax St. #601 Alexandria, VA 22314	Linda R. Bocchi	(703) 535-8102	lbocchi@aacroyalties.com
47	2/28/2009	Writers Subfund	Electronic	(AR) Our Own Performance Society Inc. (OOPS)	400 2nd Avenue, # 22C New York, NY 10010	James Cannings	(212) 642-8260	jrec10@jamescannings.com
48	2/28/2009	Publishers Subfund	Electronic	(AR) Our Own Performance Society Inc. (OOPS)	400 2nd Avenue, # 22C New York, NY 10010	James Cannings	(212) 642-8260	jrec10@jamescannings.com
49	2/28/2009	Copyright Owners	Electronic	(AR) JC Records	400 2nd Avenue, # 22C New York, NY 10010	James Cannings	(212) 642-8260	jrec10@jamescannings.com
50	2/28/2009	Featured Artist	Electronic	(AR) JC Records	400 2nd Avenue, # 22C New York, NY 10010	James Cannings	(212) 642-8260	jrec10@jamescannings.com

51	2/28/2009	Copyright Owners	Electronic	(IP) Eric N. Burns D.B.A. Art Seigner (IP and AR)	11438 Grable Court Fontana, CA 92337	Eric N. Burns	(909) 427-0802	ericman8@aol.com
52	3/2/2009	Featured Artist	Electronic	(IP) Fred James Recording Companies JOINT Alliance of Artists &	700 N Farifax St., Suite 601 Alexandria, VA 22314	Linda R. Bocchi	(703) 535-8206	lbocchi@aacroyalties.com
53	3/2/2009	Publishers Subfund	Electronic	(IP) Fred James Music	P.O. Box 68096 Nashville, TN 37206	Fred James	(615) 227-1947	bluesland@comcast.net
54	3/2/2009	Publishers Subfund	Electronic	(IP) Possum Pie Publishing	P.O. Box 68096 Nashville, TN 37206	Mary-Ann Brandon	(615) 300-4633	possumpie@comcast.net
55	3/2/2009	Publishers Subfund	Electronic	(IP) Brandon James Music	P.O. Box 68096 Nashville, TN 37206	Alfred James	(615) 227-1947	bluesland@comcast.net
56	3/2/2009	Publishers Subfund	Electronic	(IP) Mary-Ann Brandon	P.O. Box 68096 Nashville, TN 37206	Mary-Ann Brandon	(615) 300-4633	possumpie@comcast.net
57	3/2/2009	Copyright Owners	Electronic	(IP) Bluesland Productions	P.O. Box 68096 Nashville, TN 37206	Fred James	(615) 227-1947	bluesland@comcast.net
58	3/2/2009	Featured Artist	Electronic	(IP) Fred James	P.O. Box 68096 Nashville, TN 37206	Fred James	(615) 227-1947	bluesland@comcast.net
59	3/2/2009	Featured Artist	Electronic	(IP) Mary-Ann Brandon	P.O. Box 68096 Nashville, TN 37206	Mary-Ann Brandon	(615) 300-4633	possumpie@comcast.net
60	3/2/2009	Publishers Subfund	Electronic	(IP) Mary-Ann Brandon	P.O. Box 68096 Nashville, TN 37206	Mary-Ann Brandon	(615) 300-4633	possumpie@comcast.net
61	3/2/2009	Publishers Subfund	Electronic	(IP) Nash Metro Music	P.O. Box 68096 Nashville, TN 37206	Mary-Ann Brandon	(615) 300-4633	possumpie@comcast.net
62	2/26/2009	Writers Subfund	Paper	(IP) JOINT SESAC, Inc.	152 West 57th St, 57th Fl. New York, NY 10019	John C. Beiter	(615) 256-7200	jbeiter@zahlaw.com
63	2/26/2009	Publishers Subfund	Paper	(IP) JOINT SESAC, Inc.	152 West 57th St, 57th Fl. New York, NY 10019	John C. Beiter	(615) 256-7200	jbeiter@zahlaw.com

2009 DART Claims List - Exhibit 3

A	B	C	D	E	F	G	H
1					2009 DART CLAIMS		
2	Claim No.	Date Received	Filing Status Single/ Joint	Filer's Information Interested Party(IP)/Authorized Representative (AR)	Filers Address	Contact Name	Phone No. Email
3	1	2/1/2010	Joint	Broadcast Music Inc. IP- Writers SubFund	320 West 57th Street New York, NY 10019	Marvin Berenson	212-830-2533 mberenson@bmi.com
4	2	2/4/2010	Joint	Broadcast Music Inc. IP- Publishers Subfund	320 West 57th Street New York, NY 10019	Marvin Berenson	212-830-2533 mberenson@bmi.com
5	3	2/8/2010	Joint	Jeffrey Jacobson, J. Rad, Zane Diebel, Daniel Greenwald, Tony Pace, AR- Sound Recording Fund: Copyright Owners	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	jeffrey@thefirm.com
6	4	2/8/2010	Joint	Jeffrey Jacobson, J. Rad, Zane Diebel, Daniel Greenwald, Nation, Tony Pace, Jesse Denaro, Michael Domino, Kosmic Daydream, John Neptune, The Process- AR-Sound Recording Fund: Featured Artist Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	jeffrey@thefirm.com
7	5	2/8/2010	Joint	Jeffrey Jacobson, J. Rad, Zane Diebel, Daniel Greenwald, Nation, Tony Pace, Jesse Denaro, Michael Domino, Kosmic daydream, John Neptune, The Process AR-Musical Works Fund: Writers Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	jeffrey@thefirm.com
8	6	2/8/2010	Joint	Jeffrey Jacobson, J. Rad, Zane Diebel, Daniel Greenwald, Nation, Tony Pace, Jesse Denaro, Michael Domino, Kosmic Daydream, John Neptune AR-Musical Works Fund: Publishers Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	jeffrey@thefirm.com

	A	B	C	D	E	F	G	H
				Jeffrey Jacobson, Vaneese Thomas, Dilyana Toteva, Angelique, Wayne Warnecke, Robert Poindexter, Zen Tricksters- AR-Sound Recordings Fund: Copyright Owners Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
9	7	2/8/2010	Joint	Jeffrey Jacobson, Vaneese Thomas, Dilyana Toteva, Angelique, Wayne Warnecke, Robert Poindexter, Zen Tricksters AR-Sound Recordings Fund: Featured Artists Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
10	8	2/8/2010	Joint	Jeffrey Jacobson, Vaneese Thomas, Dilyana Toteva, Angelique, Wayne Warnecke, Robert Poindexter, Zen Tricksters AR-Musical Works: Writers Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
11	9	2/8/2010	Joint	Jeffrey Jacobson, Vaneese Thomas, Dilyana Toteva, Angelique, Wayne Warnecke, Robert Poindexter, Zen Tricksters	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
12	10	2/8/2010	Joint	Jeffrey Jacobson/VP Record Distributors-Sound Recordings Fund: Copyright Owners	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
13	11	2/8/2010	Single	Jeffrey Jacobson/VP Record Distributors- AR-Musical Works Fund: Publishers Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
14	12	2/8/2010	Single	Jeffrey Jacobson/ROIR Records, Inc.-AR-Sound Recordings Fund: Copyright Owners Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
15	13	2/8/2010	Single	Jeffrey Jacobson/ROIR Records, Inc.-AR-Sound Recordings Fund: Featured Artist Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
16	14	2/8/2010	Single		60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com

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17	15	2/8/2010	Single	Jeffrey Jacobson/ROIR Records, Inc. AR-Musical Works Fund: Publishers Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
18	16	2/8/2010	Single	Jeffrey Jacobson/Mick Taylor AR-Sound Recordings Fund: Featured Artist Subfund	60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-691-5630	jeffrey@thefirm.com
19	17	2/9/2010	Single	Bopp du Wopp AR-Sound Recordings Fund: Copyright Owners Subfund	6441 Hill Toledo, OH 43615	David Cone	4198685110	conedn@yahoo.com
20	18	2/10/2010	Single	Keith D. Porter c/o David N. Cone AR-Sound recordings Fund: Featured Artist Subfund	6441 Hill Toledo, OH 43615	David Cone	4198685110	conedn@yahoo.com
21	19	2/10/2010	Single	Keith D. Proter/David N. Cone AR-Musical Works Fund: Writers Subfund	6441 Hill Toledo, OH 43615	David Cone	4198685110	conedn@yahoo.com
22	20	2/12/2010	Single	dejon quinn/dejon quinn Authentic Records LLC AR-Musical Works Fund: Publishers Subfund	10727 White Ave Kansas City, MO 64134	dejon quinn	5044918855	ndlabov07@yahoo.com
23	21	2/18/2010	Single	Major Bob Music, Inc. IP-Sound Recordings Fund: Copyright Owners Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
24	22	2/18/2010	Single	Oona Songs, LLC IP-Sound Recordings Fund: Copyright Owners Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
25	23	2/18/2010	Single	Rio Bravo Music, Inc. IP-Sound recordings Fund: Copyright Owners Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
26	24	2/18/2010	Single	Castle Bound Music, Inc. IR-Sound recordings Fund: Copyright Owners Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
27	25	2/18/2010	Single	Castle Bound Music, Inc. IP-Musical Works Fund: Publishers Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
28	26	2/18/2010	Single	Oona Songs, LLC IP-Musical Works Fund: Publishers Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
29	27	2/18/2010	Single	Rio Bravo Music, Inc. IP-Musical Works Fund: Publishers Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com

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				Major Bob Music, Inc. IP-Musical Works Fund: Publishers Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
30	28	2/18/2010	Single	Major Bob Music, Inc. IP-Musical Works Fund: Writers Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
31	29	2/18/2010	Single	Oona Songs, LLC IP-Musical Works Fund: Writers Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
32	30	2/18/2010	Single	Rio Bravo Musci, Inc. IP-Musical Works Fund: Writers Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
33	31	2/18/2010	Single	Castle Bound Music, Inc. IP-Musical Works fund: Writers Subfund	1111 17th Ave South Nashville, TN 37212	Wendi Crosby	6153294150	wcrosby@majorbob.com
34	32	2/18/2010	Single	Eric N. Burns IP-Sound Recordings Fund: Copyright Owners Subfund	11438 Grable Court Fontana, CA 92337	Eric N. Burns	9094270802	ericeman8@aol.com
35	33	1/4/2010	Single	Benair Churchill LLC, Luis Cepeda, Junior Cepeda, Luis Junior Cepeda, IP and AR-Musical Works Fund: Publishers Subfund	1107 Fair Oaks Avenue #525 South Pasadena CA 91030	Sharal Churchill	3234688888 ext221	sc@benairchurchill.com
36	34	1/11/2010	Joint	Benair Churchill LLC AR-Musical Works Fund: Writers Subfund	1107 Fair Oaks Avenue #525 South Pasadena CA 91030	Sharal Churchill	3234688888 ext 221	sc@benairchurchill.com
37	35	1/11/2010	Single	Sharal Churchill, James Radcliffe, Jimmy Radcliffe IP/AR Musical Works Fund: Publishers Subfund	1107 Fair Oaks Avenue #525 South Pasadena CA 91030	Sharal Churchill	3234688888 ext221	sc@benairchurchill.com
38	36	1/11/2010	Joint	John Reed IP-Musical Fund: Publishers Subfund	525 South Francisca Ave Redondo Beach, CA 90277	John Reed	3103164551	mrp@aol.com
39	37	1/13/2010	Single	John Reed IP-Musical Fund: Writers Subfund	525 South Francisca Ave Redondo Beach, CA 90277	John Reed	310 316 4551	mrp@aol.com
40	38	1/13/2010	Single	John Reed IP-Sound Recordings Fund: Featured Artist Subfund	525 South Francisca Ave Redondo Beach, CA 90277	John Reed	310 316 4551	mrp@aol.com
41	39	1/13/2010	Single	John Reed IP-Sound Recordings Fund: Copyright Owners Subfund	525 South Francisca Ave Redondo Beach, CA 90277	John Reed	310 316 4551	mrp@aol.com
42	40	1/13/2010	Single	CLAIM PENDING				
43	41	1/14/2010	Single					

	A	B	C	D	E	F	G	H
44	42	1/15/2010	Single	Marcus Labron Washington AR-Sound Recordings Fund: Copyright Owners Fund	17399 Evergreen Detroit, MI 48219	Marcus Washington	248 242 0917	www.marcuslabronwashington@yahoo.com
45	43	1/15/2010	Joint	The Harry Ford Agency, Inc. AR-Musical Works Fund: Publishers Subfund	601 West 26th Street, Suite 500 New York, NY 10001	R. Adina Rosenthal	212 922 3238	arosenenthal@harryfox.com
46	44	1/15/2010	Joint	The Harry Ford Agency, Inc. AR-Musical Works Writers Subfund	601 West 26th Street, Suite 500 New York, NY 10001	R. Adina Rosenthal	212 922 3238	arosenenthal@harryfox.com
47	45	1/19/2010	Single	Alejandro Trigos IP-Musical Works Fund: Publishers Subfund	5631 NW 112 Ave #109 Doral, FL 33178	Alejandro Trigos	786 443 9815	mkmusicrecords@hotmail.com
48	46	1/19/2010	Single	Alejandro Trigos IP-Musical Works Fund: Writers Subfund	5631 NW 112 Ave #109 Doral, FL 33178	Alejandro Trigos	786 443 9815	mkmusicrecords@hotmail.com
49	47	1/19/2010	Single	Alejandro Trigos IP-Sound Recordings Fund: Copyright Owners Subfund	5631 NW 112 Ave #109 Doral, FL 33178	Alejandro Trigos	786 443 9815	mkmusicrecords@hotmail.com
50	48	1/19/2010	Single	Osborne Cox III AR-Musical Works Fund: Writers Subfund	1640 Ruth Street Cocoa, FL	Osborne Cox III	407 385 9502	ocox305@gmail.com
51	49	1/30/2010	Single	Herman Kelly (H.Kelly) IP- Sound Recordings Fund: Featured Artist Subfund	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313 894 8855	hermankelly@att.net
52	50	1/30/2010	Single	Musiranma comedy Play Music (MCPM) IP-Sound Recordings Fund: Copyright Owners Subfund	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313 894 8855	hermankelly@att.net
53	51	1/30/2010	Single	Musiranma Comedy Play Music (MCPM) IP-Musical Works Fund: Publishers Subfund	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313 894 8855	hermankelly@att.net
54	52	1/30/2010	Single	AfterSchool Publishing company, Inc. (ASPC) IP- Sound Recordings Fund: Copyright Owners Subfund	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313 894 8855	hermankelly@att.net
55	53	1/30/2010	Single	Herman Kelly IP-Musical Works Fund: Writers Subfund	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313 894 8855	hermankelly@att.net
56	54	1/30/2010	Single	Herman Kelly IP-Sound Recordings Fund: Copyright Owners Subfund	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313 894 8855	hermankelly@att.net

	A	B	C	D	E	F	G	H
				Disney Music Publishing IP/AR- Musical Works Fund: Publishers Subfund	500 South Buena Vista Street Burbank, CA 91521-6435	Eric Palmquist	818 567 5082 818 567 5178F	eric.palmquist@disney.com
57	55	2/18/2010	Joint		152 West 57th Street, 57th Floor New York, NY 10019 and /or 1014 16th Avenue South Nashville, TN 37212			
58	56	2/22/2010	Joint	SESAC, Inc. IP-Musical Works Fund: Writers Subfund	152 West 57th Street, 57th Floor New York, NY 10019 and /or 1014 16th Avenue South Nashville, TN 37212	John C. Beiter	615 256 7200 615 256 7106F	jbeiter@zahlaw.com
59	57	2/22/2010	Joint	SESAC, Inc. IP-Musical Works Fund: Publishers Subfund	152 West 57th Street, 57th Floor New York, NY 10019 and /or 1014 16th Avenue South Nashville, TN 37212	John C. Beiter	615 256 7200 615 256 7106 F	jbeiter@zahlaw.com
60	58	2/25/2010	Joint	Richard Scott DePerto/Razor & Tie Music Publishing LLC IP/AR-Musical Works Fund: Publishers Subfund	214 Sullivan Street, Suite 4a New York, NY 10012	Richard Scott DePerto	212 598 2265	rdeperto@razorandtie.com
				Alliance of Artists and recording Companies IR/AR- Sound Recordings Fund: Copyright Owners Subfund				
61	59	2/26/2010	Joint		700 North Fairfax Street Ste 601 Alexandria, VA 22314	Linda Bocchi	703 535 8102	lbocchi@aarcroyalties.com
				Alliance of Artists and Recording Companies, Sunnyland Slim, Dean Evenson, Klobber, Duck Sauce, Final Edition, Dragonette, Diane McCraven, Debra Thomas, New York Port Authority IP/AR-Sound Recordings Fund: Featured Artist Subfund				
62	60	3/1/2010	Joint		700 North Fairfax Street Ste 601 Alexandria, VA 22314	Linda Bocchi	703 535 8102	lbocchi@aarcroyalties.com
				Alliance of Artists and Recording Companies, Vector Recordings, Inc., Ronald O'Neil Atkins IP/AR- Sound Recordings Fund: Copyright Owners Subfund				
63	61	3/1/2010	Joint		700 North Fairfax Street Ste 601 Alexandria, VA 22314	Linda Bocchi	703 535 8102	lbocchi@aarcroyalties.com
				Kobalt Music Publishing America, Inc. AR-Musical Works Fund: Writers Subfund				
64	62	3/1/2010	Joint		1501 Broadway, 27th Floor New York, NY 10036	Michael Petersen	212 247 6204	michael@kobaltmusic.com

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65	63	3/1/2010	Joint	Kobalt Music Publishing America, Inc. AR-Musical Works Fund: Publishers Subfund	1501 Broadway, 27th Floor New York, NY 10036	Michael Petersen	212 247 6204	michael@kobaltmusic.com
66	64	2/26/2010	Joint	Alliance of Artists and Recording Companies (AR-Sound Recordings Fund: Copyright Owners Subfund)	700 North Fairfax Street Ste 601 Alexandria, VA 22314	Linda Bocchi	703 535 8102	lbocchi@aacrovalities.com
67	65	3/1/2010	Joint	Alliance of Artists and Recording Companies, Sunnyland Slim, Hockey, Dean Evenson, Klobber, Duck Sauce, final Edition, Dragonette, Diane McCraven, Debra Thomas, New York Port Authority IR/AR-Sound Recordings Fund: Featured Artist Subfund	700 North Fairfax Street Ste 601 Alexandria, VA 22314	Linda Bocchi	703 535 8102	lbocchi@aacrovalities.com
68	66	2/18/2010	Joint	American Society of Composers, Authors and Publishers (ASCAP) IR-Musical Works Fund: Writers Subfund	One Lincoln Plaza New York, NY 10023	Samuel Mosenkis	212 621 6450	smosenkis@ascap.com
69	67	2/18/2010	Joint	American Society of Composers, Authors and Publishers (ASCAP) IR-Musical Works Fund: Publishers Subfund	One Lincoln Plaza New York, NY 10023	Samuel Mosenkis	212 621 6450	smosenkis@ascap.com
70	68	2/28/2010	Single	Yvonne Davis IP-Musical Works Fund: Writers Subfund	1515 Herberger Way Philadelphia, PA 19121	Yvonne Davis	678 548 7268	

2010 DART Claims List - Exhibit 4

2010 DART Claims

Claim No.	Date Received	Filing Status Single/ Joint	Filer's Information Interested Party(IP)/ Authorized Representative (AR)	Filers Address	Contact Name	Phone No.	Email
1	1/4/2011	Single	IP/Musical Works Fund: Writers SubFund - Songwriters Guild of America; Sam Fien	27710 King William Road West Point, CA 23181 / 209 10th Ave. South #321 Nashville, TN 37203	Dayna D. Staggs	202-468-3337	dstaggs46@hotmail.com
2	1/4/2011	Single	IP/Musical Works Fund: Publishers Subfund - Songwriters Guild of America; Sam Fien	27710 King William Road West Point, CA 23181 / 209 10th Ave. South #321 Nashville, TN 37203	Dayna D. Staggs	202-468-3337	dstaggs46@hotmail.com
3	1/6/2011	Single	IP/ Sound Recordings Fund: Copyright Owners Subfund - Eric Burns	11438 Grable Court Fontana, CA 92337	Eric N. Burns	909-427-0802	ericeman8@aol.com
4	1/19/2011	Single	AR/Sound recordings Fund: Copyright Owners Subfund - Arpi Takacs	Cimelde Rcoards 450477 Armoniei 23/4 4300 Mures, Romania	Arpi Takacs	075-728-8140	cimelderecords@hotmail.com
5	1/20/2011	Single	IP/Musical Works Fund: Publishers Subfund - Tajai Music Inc	4000 Gypsy Lane Suite 245 Philadelphia, PA 19129	Tajai Music Inc	215-843-8261	liset@voicenet.com
6	1/20/2011	Single	IP/Sound Recordings Fund: Copyright Owners Subfund - Eugene "Lambchops" Curry	4000 Gypsy Lane Suite 245 Philadelphia, PA 19129	Eugene "Lambchops" Curry	215-843-8261	liset@voicenet.com
7	1/20/2011	Single	IP/Musical Works Fund: Writers Subfund - Eugene Curry	400 Gypsy Lane Suite 245 Philadelphia, PA 19129	Eugene "Lambchops" Curry	215-843-8261	liset@voicenet.com
8	1/25/2011	Single	AR/Sound Recordings Fund: Copyright Owners Subfund - Reginald C. Woodard, Jr.	P.O. Box 723 Jeanerette, LA 70544	Reginald C. Woodard Jr	408-921-8180	rwoodard.wise@me.com
9	1/26/2011	Joint	IP/Musical Works Fund: Publishers Subfund - American Society of Composers, Authors and Publishers (ASCAP)	One Lincoln Plaza New York, NY 10023	Samuel Mosenkis	P: 212-621- 6450 F: 212- 787-1381	smosenkis@ascap.com

updated: 3/24/2011

Dart Claims 2010

2010 DART Claims

10	1/26/2011	Joint	IP/Musical Works Fund: Writers Subfund - American Society of Composers, Authors and Publishers (ASCAP)	One Lincoln Plaza New York, NY 10023	Samuel Mosenkis	P: 212-621- 6450 F: 212- 787-1381	smosenkis@ascap.com
11	1/31/2011	Single	IP/Musical Works Fund: Writers Subfund - Herman Kelly	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
12	1/31/2011	Single	IP/Sound Recordings Fund: Featured Artist Subfund - Herman Kelly	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
13	1/31/2011	Single	IP/Musical Works Fund: Publishers Subfund - Afterschool Publishing	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
14	1/31/2011	Single	IP/Sound Recordings Fund: Copyright Owners Subfund - Afterschool Publishing	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
15	1/31/2011	Joint	AR/Musical Works Fund: Writers Subfund - The Harry Fox Agency, Inc.	601 West 26th Street, Suite 500 New York, NY 10001	R. Adina Rosenthal	P: 212-922- 3238 F: 212- 922-3299	arosenthal@harryfox.com
16	1/31/2011	Joint	AR/Musical Works Fund: Publishers Subfund - The Harry Fox Agency, Inc.	601 West 26th Street, Suite 500 New York, NY 10001	R. Adina Rosenthal	P: 212-922- 3238 F: 212- 922-3299	arosenthal@harryfox.com
17	2/4/2011	Single	AR/Musical Works Fund: Publishers Subfund - Paula B. Mays, Eddie Rolling	815 Bernard Street Alexandria, VA 22314 2008 Blue Bird Lane Clarksdale, MS 38614	Paula B. Mays	703-683-2250	paulab.mays@gmail.com
18	2/4/2011	Single	AR/Sound Recordings Fund: Copyright Owners Subfund - Paula B. Mays, Eddie Rollins	815 Bernard Street Alexandria, VA 22314 2008 Blue Bird Lane Clarksdale, MS 38614	Paula B. Mays	703-683-2250	paulab.mays@gmail.com
19	2/4/2011	Joint	IP & AR: Musical Works Fund: Publishers Subfund - Ernst Andre (pseudonym: dreObaye)	P.O. Box 710956 Houston, TX 77271	Ernst Andre	713-987-4230	freshwatermusicgroup@gmail.com

2010 DART Claims

20	2/8/2011	Joint	IP & AR: Musical Works Fund: Writers Subfund - Ernst Andre (pseudonym: dreObaye) IP & AR: Sound Recordings Fund: Featured Artist Subfund - Ernst Andre	P.O. Box 710956 Houston, TX 77271	Ernst Andre	713-987-4230	freshwatermusicgroup@gmail.com
21	2/8/2011	Joint	(pseudonym: dreObaye) IP & AR: Sound Recordings Fund: Copyright Owners Subfund - Ernst Andre (pseudonym: dreObaye)	P.O. Box 710956 Houston, TX 77271	Ernst Andre	713-987-4230	freshwatermusicgroup@gmail.com
22	2/8/2011	Joint	IP: Musical Works Fund: Writers Subfund - Luis Miguel Sanchez	P.O. Box 710956 Houston, TX 77271	Ernst Andre	713-987-4230	freshwatermusicgroup@gmail.com
23	2/9/2011	Single	IP: Sound Recordings Fund: Copyright Owners Subfund - Write 4 U/T.M. Fennie	565 w 190th St. Apt.3f NY, NY 10040	Luis Miguel Sanchez ingridgalan	347-609-6955	ingridgalan@hotmail.com
24	2/11/2011	Single	IP & AR: Sound Recordings Fund: Featured Subfund - Teresa Fennie	P.O. Box 812 New Brunswick, NJ 08903- 0812	T.M. Fennie	973-517-7601	div5@netzero.net
25	2/11/2011	Joint	IP & AR: Musical Works Fund: Publishers Subfund - Write 4 U, Teresa Fennie, Diva, Treasure-Diva of House, Teresa Diva Fennie, T.M Fennie, Teresa Fennie	P.O. 812 New Brunswick, NJ 08903- 0812	Teresa Fennie	973-517-7601	div5@netzero.net
26	2/11/2011	Joint	IP & AR: Musical Works Fund: Writers Subfund - Dayna Staggs; Songwriters Guild of America; National Music Publishers Association; Dayna Staggs Music Publishing; Dayna Paryss Entertainment LLC; Doin Peeps Music Publishing LLC	P.O. Box 812 New Brunswick, NJ 08903- 0812	Teresa Fennie	973-517-7601	div5@netzero.net
27	2/14/2011	Joint		27710 King William Road West Point, VA 23181	Dayna D. Staggs	804-843-2099	dstaggs46@hotmail.com

2010 DART Claims

28	2/14/2011	Joint	IP & AR: Sound Recordings Fund: Copyright Owners Subfund - Dayna D. Staggs; Songwriters Guild of America; National Music Publishers Association; Dayna Staggs Music Publishing; Dayna Paryss Entertainment LLC; Doin Peeps Music Publishing LLC	27710 King William Road West Point, VA 23181	Dayna D. Staggs	804-843-2099	dstaggs46@hotmail.com
29	2/14/2011	Joint	IP&AR: Musical Works Fund: Publishers Subfund - Dayna D. Staggs; Songwriters Guild of America; National Music Publishers Association; Dayna Staggs Music Publishing; Dayna Paryss Entertainment LLC; Doin Peeps Music Publishing LLC; Sound Exchange; Broadcast Music Inc	27710 King Williams Road; West Point, VA 23181	Dayna D. Staggs	804-843-2099	dstaggs46@hotmail.com
30	2/15/2011	Single	IP: Musical Works Fund: Writers Subfund - Henri Jordan	P.O. Box 643 Union City, GA 30291	Henri Jordan	678-764-5276	jhenri81@yahoo.com
31	2/16/2011	Single	IP: Musical Works Fund: Publishers Subfund - Richard James Kazmierczak	103 Blackmore Street Tonawanda, NY 14150-7972	Richard James Kazmierczak	716-909-1215	rico113us@yahoo.com
32	2/18/2011	Joint	IP & AR: Musical Works Fund: Publishers Subfund - Disney Music Publishing	500 South Buena Vista Street, Burbank, CA 91521-6435	Eric Palmquist	818-567-5178	eric.palmquist@disney.com
33	2/18/2011	Single	IP: Musical Works Fund: Publishers Subfund - Major Bob Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Major Bob Music, Inc.	615-329-4150	Wcrosby@majorbob.com
34	2/18/2011	Single	IP: Musical Works Fund: Publishers Subfund - Rio Bravo Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Rio Bravo music, Inc.	615-329-4150	Wcrosby@majorbob.com

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35	2/18/2011	Single	IP: Musical Works Fund: Publishers Subfund: Castle Bound Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Castle Bound Music, Inc.	615-329-4150	Wcrosby@majorbob.com
36	2/18/2011	Single	IP: Musical Works Fund: Publishers Subfund - Oona Songs, LLC	1111 17th Avenue South Nashville, TN 37212	Oona Songs, LLC	615-329-4150	Wcrosby@majorbob.com
37	2/18/2011	Single	AR: Musical Works Fund: Writers Subfund - Oona Songs, LLC	1111 17th Avenue South Nashville, TN 37212	Oona Songs, LLC	615-329-4150	Wcrosby@majorbob.com
38	2/18/2011	Single	AR: Musical Works Fund: Writers Subfund - Castle Bound Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Castle Bound Music, Inc.	615-329-4150	Wcrosby@majorbob.com
39	2/18/2011	Single	AR: Musical Works Fund: Writers Subfund - Rio Bravo Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Rio Bravo music, Inc.	615-329-4150	Wcrosby@majorbob.com
40	2/18/2011	Single	AR: Musical Works Fund: Writers Subfund - Major Bob Music, Inc.	1111 17th Avenue South Nashville, TN 37212	Major Bob Music, Inc.	615-329-4150	Wcrosby@majorbob.com
41	2/22/2011	Single	AR: Sound Recordings Fund: Copyright Owners Subfund - Asolo Chika Chuku	1230 Westridge Road Atlanta, GA 30311	Asolo Chika Chukwu	404-483-5803	asochuks2000@yahoo.com
42	2/23/2011	Single	IP: Sound Recordings Fund: Copyright Owners Subfund - Ernest William Furrow	1668 Lone Oak Road Vista, CA 92084	Ernest W. Furrow	760-727-8495	efurrow@live.com
43	2/23/2011	Joint	AR: Sound Recordings fund: Copyright Owners Subfund - Jeffrey Jacobson Esq.; VP Record Distributors, Inc.	The Jacobson Firm, PC 60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-683-2001	jeffrey@jacobsonfirm.com
44	2/23/2011	Joint	AR: Musical Works Fund: Publishers Subfund - Jeffrey Jacobson, Esq.; Kim Angelis; J Rad; CQK; Daniel Greenwald; Kosmic Daydream; John Kaizan Neptune; Tony Pace; The Process; Aaron Shragge; Vaneese Thomas	The Jacobson Firm, PC 60 Madison Avenue Suite 1026 New York, NY 10010	Jeffrey E. Jacobson	212-683-2001	jeffrey@jacobsonfirm.com

2010 DART Claims

45	2/23/2011	Joint	AR: Musical Works Fund: Writers Subfund - Jeffrey E. Jacobson, Esq.; Kim Angelis; J Rad; Mary Dawson; daniel Greenwald; Bill Gravel; Komic Daydream; John Kaizan Neptune; Tony Pace; the process; Vaneese Thomas	The Jacobson Firm, PC 60 Madison Avenue Suite1026 New York, NY 10010	Jeffrey E. Jacobson	212-683-2001	jeffrey@jacobsonfirm.com
46	2/23/2011	Joint	AR: Sound Recordings Fund: Featured Artist Subfund - Jeffrey E Jacobson, Esq; J RAD Music; Daniel Greenwald; Kosmic Daydream; Kim Angelis; Bill Gravel; John Kaizan Neptune; The Process; Aaron Shragge; Beatrice Thomas; Vaneese Thomas	The Jacobson Firm, PC 60 Madison Avenue Suite1026 New York, NY 10010	Jeffrey E. Jacobson	212-683-2001	jeffrey@jacobsonfirm.com
47	2/23/2011	Joint	AR: Sound recordings Fund: copyright owners Subfund - Jeffrey E Jacobson, Esq; ROIR; Norton Records, Inc.; J Rad Music; Daniel Greenwald; Kosmic Daydream; Reachout International Records, Inc; Skysong Record; CQK; bill Gravel; John Kaizan Neptune	The Jacobson Firm, PC 60 Madison Avenue Suite1026 New York, NY 10010	Jeffrey E. Jacobson	212-683-2001	jeffrey@jacobsonfirm.com
48	2/28/2011	Single	IP: Sound Recordings Fund: Featured Artist Subfund - James Cannings	400 2nd Ave # 22C New York, NY 10010	James Cannings	212-642-8260	jamescannings10@yahoo.com
49	2/28/2011	Single	IP: Sound Recordings Fund: Copyright Owners Subfund - JamesCannings	400 2nd Ave # 22C New York, NY 10010	James Cannings	212-642-8260	jamescannings10@yahoo.com

2010 DART Claims

50	2/28/2011	Single	IP: Muscial Works Fund: Writers Subfund - James Cannings	400 2nd Ave # 22C New York, NY 10010	James Cannings	212-642-8260	jamescannings10@yahoo.com
51	2/28/2011	Single	IP: Musical Works fund: Publishers Subfund - James Cannings	400 2nd Ave # 22C New York, NY 10010	James Cannings	212-642-8260	jamescannings10@yahoo.com
52	2/28/2011	Joint	AR: Sound Recordings Fund: Featured Artist Subfund - International Royalty Recovery Services (artist list)	18 Bunker Hill Drive Manalapan, NJ 07726	Lawrence E. Feldman	215-635-2811	leflaw@gmail.com
53	2/28/2011	Joint	AR: Sound recordings Fund: Copyright Owners Subfund - International Royalty Recovery Services (see artist list)	18 Bunker Hill Drive Manalapan, NJ 07726	Lawrence E. Feldman	215-635-2811	leflaw@gmail.com
54	2/28/2011	Joint	IP & AR: Sound Recordings Fund: Copyright Owners Subfund - Alliance of Artist and Recording Companies (see list)	700 N Fairfax Street, Suite 600 Alexandria, VA 22314	Linda R. Bocchi	703-535-8102	lbocchi@aarcroyalties.com
55	2/28/2011	Joint	AR: Musical Works Fund: Publishers Subfund - Kobalt Music Publishing America, Inc. (see list)	1501 Broadway, 27th Fl. New York, NY 10036	Michael Peterson	212-247-6204	michael@kobaltmusic.com
56	2/28/2011	Single	IP: Musical Works Fund: Writers Subfund - Yvonne Davis	1515 Hemberger way, Apt. 905 Philadelphia, PA 19121	Yvonne Davis	678-548-7268	yvonne.davis57@yahoo.com
57	2/25/2011	Joint	IP & AR: Sound Recordings Fund: Copyright Owners Subfund - Alliance of Artist & Recordings Companies (see list)	700 North Fairfax Street Ste 601 Alexandria, VA 22314	Linda R. Bocchi	703-535-8102	lbocchi@aarcroyalties.com
58	2/28/2011	Joint	IP & AR: Sound Recordings Fund: Featrued Artist Subfund - Alliance of Artisits and Recording Companies (see list)	700 N Fairfax Street, Suite 600 Alexandria, VA 22314	Linda R. Bocchi	703-535-8102	lbocchi@aarcroyalties.com

2010 DART Claims

59	2/28/2011	Joint	IP & AR: Sound Recordings Fund: Featured Artist Subfund - Alliance of Artists and Recording Compies (see list)	700 N Fairfax Street, Suite 600 Alexandria, VA 22314	Linda R. Bocchi	703-535-8102	lbocchi@aacroyalties.com
60	2/1/2011	Joint	IP: Musical Works Fund: Publishers Subfund - Broadcast Music, Inc. (see list)	7 World Trade Center, 250 Greenwich Street New York, NY 10007-0030	Marvin L. Berenson	212-220-3150	mberenson@bmi.com
61	2/1/2011	Joint	IP: Musical Works Fund: Writers Subfund - Broadcast Music, Inc. (see list)	7 World Trade Center, 250 Greenwich Street New York, NY 10007-0030	Marvin L. Berenson	212-220-3150	mberenson@bmi.com
62	2/25/2011	Joint	IP: Musical Works Subfund: Writers Subfund - SESAC, Inc. (see list)	152 West 57th Street, 57th Floor New York, NY 10019	John C. Beiter, Esq.	615-256-7200	jbeiter@shacklaw.net
63	2/25/2011	Joint	IP: Writers Subfund: Publishers Subfund - SESAC, Inc. (See list)	152 West 57th Street, 57th Floor New York, NY 10019	John C. Beiter, Esq.	615-256-7200	jbeiter@shacklaw.net

2011 DART Claims List - Exhibit 5

Claim No.	Date Received	Filing Status Single/Joint	Filer's Information Interested Party(IP)/ Authorized Representative (AR)	Filers Address	Contact Name	Phone No.	Email
1	1/7/2012	Single	IP: Musical Works Fund: Publishers Subfund: Pen and Pad Writings	1243 S. Mariposa Ave., Apt. 7 Los Angeles, CA 90006	Jason Le Sure	323-317-6232	jlesure216@gmail.com
2	1/7/2012	Single	IP: Musical Works Fund: Publishers Subfund: Jason Le Sure	1243 S. Mariposa Ave., Apt. 7 Los Angeles, CA 90006	Jason Le Sure	323-317-6232	jlesure216@gmail.com
3	1/7/2012	Single	IP: Musical Works Fund: Writers Subfund: Jason Le Sure	1243 S. Mariposa Ave., Apt. 7 Los Angeles, CA 90006	Jason Le Sure	323-317-6232	jlesure216@gmail.com
4	1/7/2012	Single	IP: Sound Recordings Fund: Copyright Owners Subfund: Jason Le Sure	1243 S. Mariposa Ave., Apt. 7 Los Angeles, CA 90006	Jason Le Sure	3233176232	jlesure216@gmail.com
5	1/15/2012	Single	AR/IP: Musical Works Fund: Writers Subfund: LaTonya Hamilton; Estate of Leroy Hamilton	P.O. Box 20325 Baltimore, MD 20325	LaTonya Hamilton	4436130890	Lgeneise@aol.com
6	1/15/2012	Single	AR/IP: Sound Recordings Fund: Copyright Owners Subfund: LaTonya Hamilton; Estate of Leroy Hamilton	P.O. Box 20325 Baltimore, MD 20325	LaTonya Hamilton	4436130890	Lgeneise@aol.com
7	1/24/2012	Single	IP: Sound Recordings Fund: Copyright Owners Subfund: Eric N. Burns	16568 Coriander Place Fontana, CA 92337	Eric N. Burns	9094270802	ericeman8@aol.com
8	1/13/2012	Joint	AR: Musical Works Fund: Publishers Subfund: The Harry Fox Agency, Inc.	601 West 26th Street, Suite 500 New York, NY 10001	R. Adina Rosenthal	2128340100	Arosenthal@harryfox.com
9	1/13/2012	Joint	AR: Musical Works Fund: Writers Subfund: The Harry Fox Agency, Inc.	601 West 26th Street, Suite 500 New York, NY 10001	R. Adina Rosenthal	2128340100	Arosenthal@harryfox.com
10	2/1/2012	Joint	IP: Musical Works Fund: Writers Subfund: Broadcast Music, Inc.	7 World Trade Center 250 Greenwich Street New York, NY 10007	Stuart Rosen	2122203153	srosen@bmi.com

11	2/1/2012	Joint	IP: Musical Works Fund: Publishers Subfund: Broadcast Music, Inc.	7 World Trade Center 250 Greenwich Street New York, NY 10007	New	Stuart Rosen	212-220-3153	srosen@bmi.com
12	2/1/2012	Joint	IP: Musical Works Fund: Publishers Subfund: American Society of Composers, Authors and Publishers (ASCAP)	One Lincoln Plaza New York, NY 10023		Samuel Mosenkis	212-621-6450	smosenkis@ascap.com
13	2/1/2012	Joint	IP: Muscial Works Fund: Writers Subfund: American Society of Composers, Authors and Publishers	One Lincoln Plaza New York, NY 10023		Samuel Mosenkis	212-621-6450	smosenkis@ascap.com
14	2/1/2012	Single	IP: Musical Works Fund: Publishers Subfund: Treasa Fennie aka Write 4 U	P.O. Box 812 Brunswick, NJ 08903	New	Treasa Fennie	973-517-7601	write4u@netzero.net
15	2/1/2012	Single	IP: Musical Works Fund: Writers Subfund: Treasa Fennie aka Write 4 U	P.O. Box 812 Brunswick, NJ 08903	New	Treasa Fennie	973-517-7601	write4u@netzero.net
16	2/1/2012	Single	IP: Sound Recordings Fund: Featured Artist Fund: Treasa Fennie aka Write 4 U	P.O. Box 812 Brunswick, NJ 08903	New	Treasa Fennie	973-517-7601	write4u@netzero.net
17	2/1/2012	Single	IP: Sound Recordings Fund: Copyright Owners Subfund: Treasa Fennie aka Write 4 U	P.O. Box 812 Brunswick, NJ 08903	New	Treasa Fennie	973-517-7601	write4u@netzero.net
18	2/8/2012	Single	Claim withdrawn 4/12/2012					
19	2/10/2012	Single	IP: Musical Works Fund: Publishers Subfund: Major Bob Music, Inc.	1111 17th Avenue S Nashville, TN 37212		Wendi Crosby	615-329-4150	wcrosby@majorbob.com
20	2/10/2012	Single	IP: Musical Works Fund: Publishers Subfund: Castle Bound Music, Inc.	1111 17th Avenue S Nashville, TN 37212		Wendi Crosby	615-329-4150	wcrosby@majorbob.com
21	2/10/2012	Single	IP: Musical Works Fund: Publishers Subfund: Rio Bravo Music, Inc.	1111 17th Avenue S Nashville, TN 37212		Wendi Crosby	615-329-4150	wcrosby@majorbob.com

22	2/10/2012	Single	AR: Musical Works Fund: Publishers Subfund: Oona Songs, LLC	1111 17th Avenue S Nashville, TN 37212	Wendi Crosby	615-329-4150	wrosby@majorbob.com
23	2/13/2012	Single	IP: Musical Works Fund: Writers Subfund: Joey Pinter	2805 3rd Street, apt. 7 Monica, CA 90405	Joey Pinter	310-866-8096	joeypinter55@gmail.com
24	2/16/2012	Single	IP: Sound Recordings Fund: Copyright Owners Subfund: Marc Alan Suaton	13, faubourg de Paris Villeneuve-la-Guyard France	Marc Suaton	33-1-617-946-731	areplica@alanreplica.com
25	2/22/2012	Joint	IP and AR: Musical Works Fund: Publishers Subfund: Disney Music Publishing	500 South Buena Vista Street Burbank, CA 915-21-6435	Eric Palmquist	818-567-5082	eric.palmquist@disney.com
26	2/25/2012	Single	IP: Musical Works Fund: Writers Subfund: Yvonne Davis	1515 Hemberger Way, Apt. 905 Philadelphia, PA 19121	Yvonne Davis	678-548-7268	Yvonne.davis57@yahoo.com
27	2/29/2012	Single	IP: Musical Works Fund: Writers Subfund: Herman Kelly; Herman Kelly and Life: Herman Kelley; H.Kelly	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
28	2/29/2012	Single	IP: Sound Recordings Fund: Featured Artist Subfund: Herman Kelly; Herman Kelly and Life: Herman Kelley; H. Kelly	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
29	2/29/2012	Single	IP: Sound Recordings Fund: Copyright Owners Subfund: Herman Kelly	P.O. Box 14157 Detroit, MI 48214-0157	Herman Kelly	313-894-8855	hermankelly@att.net
30	2/29/2012	Single	AR: Sound Recordings Fund: Featured Artist Subfund: Ingrid R. Taylor	5620 New England Drive New Orleans, LA 70129	Ingrid R. Taylor	504-254-1688	taylor1688@bellwouth.net
31	2/29/2012	Single	AR: Sound Recordings Fund: Copyright Owners Subfund: Ingrid R. Taylor	5620 New England Drive New Orleans, LA 70129	Ingrid R. Taylor	504-254-1688	taylor1688@bellwouth.net
32	2/29/2012	Single	AR: Musical Works Fund: Publishers Subfund: Ingrid R. Taylor	5620 New England Drive New Orleans, LA 70129	Ingrid R. Taylor	504-254-1688	taylor1688@bellwouth.net
33	2/29/2012	Single	AR: Musical Works Fund: Writers Subfund: Ingrid R. Taylor	5620 New England Drive New Orleans, LA 70129	Ingrid R. Taylor	504-254-1688	taylor1688@bellwouth.net

34	2/29/2012	Joint	IP: Musical Works Fund: Publishers Subfund: SESAC, Inc.	152 West 57th Street, 57th FL New York, NY 10019	John C. Beiter	615-256-7200	jbeiter@shacklaw.net
35	2/29/2012	Joint	IP: Musical Works Fund: Writers Subfund: SESAC, Inc. IP and AR: Sound Recordings Fund: Featured Artist Subfund: Alliance of Artists and Recording Companies	152 West 57th Street, 57th FL New York, NY 10019	John C. Beiter	615-256-7200	jbeiter@shacklaw.net
36	2/29/2012	Joint	IP and AR: Sound Recordings Fund: Copyright Owners Subfund: Alliance of Artists and Recording Companies	700 N Fairfax Street, Suite 601, Alexandria, VA 22314	Linda Bocchi, Esq.	703-535-8104	lbocchi@aarcroyalties.com
37	2/29/2012	Joint	IP and AR: Sound Recordings Fund: Copyright Owners Subfund: Alliance of Artists and Recording Companies	700 N Fairfax Street, Suite 601, Alexandria, VA 22314	Linda Bocchi, Esq.	703-535-8104	lbocchi@aarcroyalties.com
38	2/29/2012	Joint	IP and AR: Musical Works Fund: Publishers Subfund: Kobalt Music Publishing America, Inc.	317 Madison Avenue, Ste 2310 New York, NY 10017 Payikkattu House, Kalawamkudan Box Cherchala Alleppy Kerala 688586 India	Michael Petersen	212-247-6204	michael@kobaltmusic.com
39	2/29/2012	Single	IP: Sound Recordings Fund: Copyright Owners Subfund		Pramod Kesav Narayana Pillai	1.19148E+13	pramodpillai@bsnl.in

Proof of Delivery

I hereby certify that on Wednesday, February 06, 2019 I provided a true and correct copy of the Motion to Reject David Powell's Defective Filings to the following:

Kelly, Herman, represented by Mr. Herman Kelly served via Email

Burns, Eric, represented by Mr. Eric N. Burns served via Email

Pillai, Pramod, represented by Mr. Pillai Pramod Kesav Narayana served via Email

Washington, Marcus, represented by Mr. Marcus Labron Washington served via Email

Primous, Matthew, represented by Mr. Matthew Primous served via Email

Suaton, Marc, represented by Mr. Marc Alan Suaton served via Email

Furrow, Ernest, represented by Mr. Ernest William Furrow served via Email

Rolling, Eddie, represented by Mr. Eddie Rolling served via Email

Curry, Eugene "Lambchops", represented by Mr. Eugene "Lambchops" Curry served via Electronic Service at lambchopsmusic@voicenet.com

Fennie aka Write 4 U, Treasa, represented by Treasa Fennie (T.M.) served via Email

Chuku, Asolo Chika, represented by Asolo Chika Chuku served via Email

Powell, David, represented by Mr. David Powell served via Electronic Service at davidpowell008@yahoo.com

Signed: /s/ Linda R Bocchi